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AGENDAS/MINUTES
COMMITTEE OF THE WHOLE
CITY OF HAMILTON
SEPT.17,2002 ...

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City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 02-031

Tuesday, September 17, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 August 13, 2002

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Mr. Bernie Sardo respecting fire related issues

3.2 Request to address the Hearings Sub-Committee by Ms. Christa Chamberlain respecting funding assistance for the Tigers' Lair.

4. CONSENT ITEMS

4.1 Heritage Permit Application (HP2002-021) under Part IV of the Ontario Heritage Act to Permit the Construction of a Parking Area at 343 Wilson Street East, Ancaster, in the city of Hamilton (PD02177) (Ward 12)

4.2 Heritage Permit Application (HP2002-017) under Part IV of the Ontario Heritage Act to Permit Alterations and Additions at 88 Fennell Avenue West in the City of Hamilton (PD02178) (Ward 8)

4.3 Heritage Permit Application (HP-2002-019) under Part V of the Ontario Heritage Act to Permit the construction of a Rear One Storey Addition and Gate at 141 St. Clair Avenue, City of Hamilton (PD02174) (Ward 3)

4.4 Demolition Permit - 1150 Leaside Road (PD02191) (Ward 4)

4.5 Demolition Permit - 130 Stapleton Avenue (PD02190) (Ward 4)

4.6 Demolition Permit - 69 East 34th Street (PD02180) (Ward 6)

4.7 Demolition Permit - 126 Stone Church Road West (PD02169) (Ward 8)

4.8 Demolition Permit - 1193 Governors Road (Dundas) (PD02181) (Ward 13)

4.9 Demolition Permit - 563 Burlington Street East (PD02189) (Ward 3)

4.10 Demolition Permit - 1269 Upper James Street (PD02070(a)) (Ward 7)

4.11 Demolition Permit - 169 Bowman Street (PD02192) (Ward 1)

4.12 Dundas Valley Non-Profit Housing Corporation Appointment of Board of Directors (PD02183) (City Wide)

4.13 Contract Amendments Movie Shoot Auchmar Estate (CS02061(a)) (Ward 8)

4.14 Winona Peach Festival Revised Contribution Schedule for the Winona Park Land Purchase (FCS02108) (Ward 11)

5. PRESENTATIONS

5.1 Hamilton's Wastewater System

DISCUSSION ITEMS

6. CITY MANAGER

None

7. COMMUNITY SERVICES

None

8. CORPORATE SECRETARIAT

None

9. ECONOMIC DEVELOPMENT

None

10. FINANCE AND CORPORATE SERVICES

10.1 Capital Budget Variance Report - As of June 2002 (FCS02096) (City Wide)

11. HUMAN RESOURCES

None

12. PLANNING AND DEVELOPMENT

12.1 Extension of the Open For Business Policy (PD02133) (Wards 2 & 3)

12.2 Establishment of a Tree Planting Reserve in Stoney Creek (PD02193)

13. SOCIAL AND PUBLIC HEALTH SERVICES

None

14. TRANSPORTATION, OPERATIONS AND ENVIRONMENT

None

15. JOINT DEPARTMENTAL REPORTS

15.1 Development charges and Building Permit Fees for the Hamilton Regional Cancer Centre and St. Joseph's Healthcare (PD02186/FCS02100) (Wards 2 & 7)

16. ITEMS REFERRED BY CITY COUNCIL

None

17. REPORTS BY SUB-COMMITTEES

17.1 Report of the Taxi Sub-Committee

18. REPORTS BY VOLUNTEER CO-ORDINATING COMMITTEES

None

19. MOTIONS

19.1 Motion presented by Councillor A. Horwath respecting subsidy program for bus passes for individuals on O.D.S.P.

20. NOTICES OF MOTIONS

None

21. GENERAL INFORMATION

22. PRIVATE AND CONFIDENTIAL

22.1 Personnel Matter
22.2 Personnel Matter

23. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Annual State of the City	Nov 21/01	Mayor/City Manager/Corporate Secretariat	Report back detailing information for inclusion in an Annual State of the City Report	
E.	Spreading of Biosolids	Nov 21/01	Transportation and Environment	TABLED pending Staff report	
F.	Urban Boundary	Dec 4/01	Planning & Development	Referral by HSC for staff to report back to COW	2002 – Q2
G.	Community Safety Zones	Dec5/01	Transportation and Environment	Referred back to staff for further consideration	2002 – Q2
H.	People's Panel	Dec5/01	TBD	Staff to report back on financial and staffing implications, selection process, terms of reference and implementation timeline	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
I.	Aquafit Seniors/Disabled Fees	March 5/02	Community Services	Staff to prepare critical analysis	
J.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
K.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
L.	Strategy for priortizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
M.	Shortage of Area Doctors	March 6/02 Council	Social and Public Health	Staff to report back on shortages	
N.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003
O.	Harbour Port Authority	Feb. 13/02	Finance and Corporate Services	Staff to report back on additional revenues from Port Authority	June 18/02
P.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Q.	Marina Assets	May 7/02	Community Services	Staff to report back on the selling of Marina assets to Port Authority	
R.	Alternative Service Delivery for installation of roadway signs and posts	May 7/02	TOE	Staff to report back with results and recommendation on this matter	
S.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
T.	Satellite Multi Tasking	Apr. 30/02		Sub-Committee to report back in one month	
U.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	HUC	Staff to bring report back	
V.	HR Matters	May 7/02	Economic Development	Staff to report back	
W.	Consolidated Rural Municipal Numbering By-law	May 7/02	Planning and Development	Referred to staff for outside pricing and report back	
X.	Municipal Tax Competitiveness Study	May 23/02	Finance and Corporate Services	Referred to a Future COW in September	Sept. 24/02
Y.	Council Correspondence respecting Algae in Lake Ontario	June 12 City Council	TOE/Finance and Corporate Services	Staff to report to Committee of the Whole	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
GG.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
HH.	Petition - All-Way Stop Control at Melvin and Normanhurst	Council Communication of July 10	TOE	Staff to report back to Committee of the Whole	October/02
II.	Correspondence from Ministry of Transportation respecting Highway 6 from Highway 5 to Concession	Council Communication of July 10	TOE	Staff to report back to Committee of the Whole	
JJ.	Petition - reduction in speed on Leeming Road	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
KK.	Petition - installation of a right paved turning lane to Algonquin going east on Highway #5	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
LL.	Correspondence from Municipality of Niagara respecting Water Quality Protection Strategy	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	

SECTION 2

2.1

Committee of the Whole

MINUTES

9:30 a.m.
Tuesday, September 10, 2002
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present:	Mayor R. Wade Councillors A. Bain, D. Braden, M. Caplan, C. Collins, F. D'Amico, L. Dilanni, M. Ferguson, A. Horwath, T. Jackson, B. Kelly, M. McCarthy, S. Merulla, D. Mitchell, B. Morelli
Absent with regrets:	Councillor R. Powers - Bereavement
Also Present:	R. Robertson, City Manager P. Crockett, General Manager of Transportation Operations and Environment C. Graham, General Manager, Human Resources J. Priel, General Manager, Social and Public Health Services L. Coveyduck, General Manager, Planning and Development N. Everson, Executive Director, Economic Development A.L. Heron, Executive Director, Corporate Secretariat R. Caterini, Deputy Clerk M. Gallagher, Co-ordinator, Council/Committee of the Whole

Mayor R. Wade called the meeting to order.

THE FOLLOWING ITEMS WERE REPORT TO CITY COUNCIL FOR CONSIDERATION:

1. **King Street West Business Improvement Area (B.I.A.) - Revised Board of Management (PD02053(a)) (Ward 2) (Item 4.1)**

That the following individuals be appointed to the King Street West B.I.A.'s Board of Management:

Diego Almonte	Metro, 256 King Street West
Frank Bergen	Mon Petit Chou, 300 King Street West
Tina Alaouze	Serendipity, 228 King Street West

CARRIED.

2. **Barton Village Business Improvement Area (B.I.A.) - Revised Board of Management (PD02113(a)) (Wards 2 & 3) (Item 4.2)**

That the following individual be appointed to the Barton Village B.I.A.'s Board of Management:

Joseph Lavadinho	SottoBank, 281 Barton Street East

CARRIED.

3. **Waterdown Business Improvement Area (B.I.A.) - Revised Board of Management (PD02078(a)) (Ward 15) (Item 4.3)**

That the following individual be appointed to the Waterdown B.I.A.'s Board of Management:

Dr. Amy Zuccolo	35 Main Street North, Unit 4

CARRIED.

4. **Pavement Marking Revisions - King Street from Battlefield Drive to Second Street South (TOE02172) (Ward 9) (Item 4.4)**

(a) That a two-way left turn lane be implemented in the centre lane on King Street in the Stoney Creek district between Battlefield Drive and Second Street;

(b) That an appropriate by-law to amend City of Hamilton Traffic By-law 01-215 be passed and enacted. CARRIED.

5. **Citizen Appointments to the Solid Waste Management Master Plan Implementation Task force (TOE02170) (City Wide)**

That the following citizens be appointed to the Solid Waste Management Master Plan (SWMMP) Implementation Task Force for the noted term of office:

Name	Affiliation	Term of Office
Burke Austin	Environmental	December 31, 2005
Roman Caruk	Education	December 31, 2004

Michael Caruso *	Business	December 31, 2004
Rena Marie Cornelius *, Vice-Chairperson	Public	December 31, 2005
Dorienne Cushman	Public	December 31, 2003
Mary Lou Dickson	Public	December 31, 2005
Luciano A. Gonzalez	Public	December 31, 2005
David Hart Dyke *, Chairperson	Environmental	December 31, 2005
Ron Joice	Public	December 31, 2003
Lynda Lukasik *	Environmental	December 31, 2004
Dick Raha *	Education	December 31, 2003
Ollie R. Thomson	Business	December 31, 2004
Tony Waite	Public	December 31, 2003

CARRIED.

6. Temporary Closures for Joshmax Production Services Limited and the Filming of The Highwaymen (TOE02167) (Ward 2) (Item 4.6)

(a) That the application from Joshmax Production Services Limited to temporarily close the following streets on the following dates be approved for filming purposes:

i) King Street East (north and south legs) from the west side of John Street to James Street on Sunday, September 22, 2002 from 8:00 p.m. until 6:00 a.m. Monday, September 23, 2002.

ii) King Street East (north and south legs) from the west side of John Street to James Street on Wednesday, September 25, 2002 from midnight until 6:00 a.m. Thursday, September 26, 2002.

(b) That approval of these closures be subject to the following conditions:

i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and

ii) That the applicant provide proof of $2,000,000 liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and

iii) That all barricading, detour signing and traffic control be subject to the direction of the General Manager, Transportation, Operations and Environment or his designate; and

iv) That all barricading be provided by and at the expense of the applicant; and

v) That "Temporary Road Closure" signs be installed in advance by the Transportation, Operations and Environment Department on the affected roadways, if deemed necessary by the General Manager, Transportation, Operations and Environment and at the expense of the applicant; and

vi) That the applicant ensure that clean up operations are carried out immediately before the re-opening of the road, to the satisfaction of the City of Hamilton and at the expense of the applicant; and

vii) That no property owner or resident within the closure area be denied access to their property upon request; and

viii) That all property owners and tenants within the closure area be notified by the applicant, prior to the closure, in a form acceptable to the General Manager. CARRIED.

7. Glanbrook Landfill Co-ordinating Committee July Proceedings (TOE02165) (Ward 11) (Item 4.7)

(a) That the attached meeting notes of the July 29, 2002 meeting of the Glanbrook Landfill Co-ordinating Committee be received.

(b) That staff continue to work with the Committee on the co-ordination of issues regarding landfill operations. CARRIED.

8. To Incorporate Certain Land into Various Streets by By-law (TOE02163) (Wards 8 and 12) (Item 4.8)

(a) That the following City land be incorporated into the following streets:

Moorland Crescent	Block 175	W--12
Krieghoff Drive	Block 14	W--8

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;

(c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the By-Laws.
CARRIED.

9. Monthly Status Report of Tenders and Requests for Proposals - July (FCS02014(g) (City Wide) (Item 4.9)

That the monthly status report of Tenders and Requests for Proposals for July 2002 as set out in Appendix 'A' to Report FCS02014(g) be received.
CARRIED.

10. Quarterly status Report on use of Policy #10 (Emergency Purchasing and Policy #11 - Negotiations for the 2nd Quarter 2002 (FCS02105) (City Wide) (Item 4.10)

That the quarterly status report on use of Policy #10 – Emergency Purchasing and Policy #11 – Negotiations for the 2nd Quarter 2002 as set out in Appendix 'A' to Report #FCS02105 be received. CARRIED.

11. Memorandum from City Manager to Mayor and Members of Council respecting Red Hill Creek Expressway (Item 4.11)

That the Memorandum from the City Manager respecting Red Hill Creek Expressway be received. CARRIED.

12. Declaration of Surplus Property - Vacant City lands at Wilson Street East and Reding Road (CS02078) (Ward 12) (Item 4.12)

(a) That a portion of the City owned lands located at the corner of Wilson Street East and Reding Road, in the former Town of Ancaster, designated as Part 3 on Plan 62R-16100, described as part of Parcel "A" on Plan 1050, comprising an area of 34.9 square metres (375.67 square feet), be declared surplus to the requirement of the City of Hamilton in accordance with the City of Hamilton Real Property Sale Procedural By-Law 95-049 and the former Town of Ancaster Procedures for Sale of Real Estate By-Law R95-052;

(b) That the Corporate Building and Real Estate Division be authorized and directed to sell the subject property in accordance with the Real Property Sale Procedural By-Law 95-049 and Item 21 of Report 01-029 of the Committee of the Whole approved by City Council on September 18, 2001 approving the Consolidation of Routine Real Estate Matters. CARRIED.

13. 2003 World Cycling Championships Event Update - Traffic and Access Issues (CS01103b/TOE02174) (City Wide) (Item 5.1)

(a) That Council endorse the following Transportation Framework recommendations and recommend that the Hamilton 2003 Cycling Championships Corporation (HCCC) implement them:

  (i) The HCCC define and implement a plan for moving travel demands around the course areas (i.e. accommodating travel not related to the race),

  (ii) The HCCC define and implement a plan for managing demands across the race boundary (to and from the areas isolated by the race course),

  (iii) The HCCC define and implement a plan for managing spectator demands,

  (iv) The HCCC define and implement plans for ancillary transportation-related requirements (media/competitor/VIP travel, pedestrian crossings of the course, etc.), and

  (v) The HCCC define and implement a comprehensive plan for Travel Demand Management.

(b) That Council endorse the ramp closures shown in Figure ES-6 of Appendix A and the advance signing shown in Figure ES-10 of Appendix A; and recommend that the HCCC request the Ministry of Transportation to implement the necessary closures and advanced warning signing to implement these closures.

(c) That Council endorse the priorities for access and movement defined in Table ES.2 of Appendix A, “Principles for Access, World Cycling Championship, Hamilton 2003”.

(d) That the HCCC develop detailed operational plans, including parking needs, in order that City staff can assist in development of a parking strategy.

(e) That an agreement between the City and the HCCC outlining the respective roles and responsibilities, and payment arrangements for municipal services, equipment, and or facilities be concluded for consideration of Council; and that full cost recovery for City services be the basis for the said agreement.

CARRIED.

14. Creation of a Permanent Hamilton Future Fund - Final Report (FCS02107) (City Wide) (Item 6.1)

(a) That the projects listed in Appendix A of Report FCS02107 totalling $37,024,000 be funded from the Hamilton Future Fund.

(b) That the Hamilton Future Fund be invested and managed internally by City of Hamilton staff, as described in report FCS02107.

(c) That the Governance Model for the Hamilton Future Fund (composed of the present 13 Community members appointed for a three year term and the Mayor and three members of Council appointed with each new term of Council), be endorsed.

CARRIED.

Note: Staff were directed to provide monthly reports to Council and the Trustee Panel on the approved projects to assist in the monitoring of these projects.

Councillors M. McCarthy and D. Braden indicated that they wished to be recorded as OPPOSED to this item.

Mayor R. Wade relinquished the Chair and Deputy Mayor L. DiIanni assumed the Chair.

15. Award of Consulting Services Contract for a "Services Review" of City Maintenance Operations (CM02007) (Item 7.1)

(a) That the City Manager be authorized and directed to engage the firm of "Turnkey Management Consulting Ltd." to conduct a Services Review exercise of the City maintenance operations, in accordance with the project's Terms of Reference and Proposal document;

(b) That the contract be awarded in the amount of $146,055 to be funded from Account No. 112241 (Change Management) as approved within the City Manager's 2002 Budget;

(c) That the City Manager provide ongoing and final reports to Council on behalf of the Services Review Steering Committee (formerly "Multi-Tasking Committee"). CARRIED.

Deputy Mayor L. DiIanni relinquished the Chair and Mayor R. Wade assumed the Chair.

16. Wood Pile at Forestry Operations Yard (CS02077) (Ward 6) (Item 8.1)

(a) That the Community Services Department, Parks Division undertake works to chip and dispose of the entire wood pile located at 1301 Upper Ottawa Street (forestry operations yard) at an approximate cost of $170,000 plus $10,000 for shipping charges;

(b) That the program be funded from Capital Reserve Account #108035 as an immediate and permanent solution to the problem;

(c) That the Parks Division establish an ongoing Wood Materials Management Program to ensure proper recycling and/or disposal of wood materials produced from forestry operations. CARRIED.

17. Fee Waiver Policy (CS02009(a)) (Item 8.2)

(a) That the revised fee waiver policy, governing ad-hoc use of the City's Parks, Culture, and Recreation facilities, attached and marked as Appendix A to report CS02009, be approved for immediate implementation.

(b) That staff continue to honour all existing facility use agreements by third party renters, with a view to achieve optimum direct expenditure recovery.

(c) That staff report back to Council as part of the annual budget process, on the extent to which the City subsidizes third party use of City facilities and services. CARRIED.

18. Customer Contact Centre Implementation of 2002 Budget Decisions (CSE02024) (City Wide) (Item 9.1)

That Report CSE02024 respecting Customer Contact Centre Implementation of 2002 Budget Decisions be received for information.
CARRIED.

19. Volunteer Co-ordinating Committee Terms of Reference (FCS02095) (City Wide) (Item 11.1)

That the Terms of Reference for the Volunteer Co-ordinating Committees, attached as Appendix "A" to report FCS02095, be received and adopted.
CARRIED.

20. Overnight Parking on Through Streets (TOE02124) (Item 15.1)

(a) That, where implemented, through street overnight parking prohibitions should be in force twelve (12) months per year;

(b) That, where implemented, all through street parking prohibitions in the City of Hamilton should be in force during the hours of 2:00 a.m. to 7:00 a.m. daily. CARRIED.

Mayor R. Wade relinquished the Chair and Deputy Mayor L. Dilanni assumed the Chair.

21. Mountable Curb Replacement Program - Funding Extension (TOE02125(a)) (City Wide) (Item 15.2)

That surplus funds in the amount of $125,000 available in Project 4030111145 (King - Bay to 160 metres west of Breadalbane) be transferred to Project 4030211223 (Annual Semi-Barrier Curb Replacement) for the reconstruction of approximately sixty additional double driveways on the existing priority list. CARRIED.

22. Corner Clearances at Highway 56 and Binbrook Road (TOE02169) (Ward 11) (Item 15.3)

(a) That a "No Stopping" regulation be implemented on the east side of Hwy 56 commencing 111m north of Binbrook Road and extending to a point 85m south of Binbrook Road, and;

(b) That a "No Stopping" regulation be implemented on the west side of Hwy 56 commencing 134m north of Binbrook Road and extending to a point 112m south of Binbrook Road, and;

(c) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted. CARRIED.

23. London Street South at Central Avenue - Request for All-Way Stop Control (TOE02168) (Ward 4) (Item 15.4)

(a) That an all-way stop control be installed at the intersection of London Street South and Central Avenue.

(b) That the appropriate by-law be passed and enacted. CARRIED.

24. Speed Limit Requests - School Areas (TOE02166) (Wards 1, 8, 9, 10, and 12) (Item 15.5)

(a) That the speed limit on Dow Avenue from Main Street West to the southerly end be set at 40 km/h; and

(b) That the speed limit on Cline Avenue South from Main Street West to the southerly end be set at 40 km/h; and

(c) That the speed limit on Bendamere Avenue from Columbia Drive to 57 m east of Briarwood Crescent (east leg) be set at 40 km/h; and

(d) That the speed limit on Columbia Drive from the Laurier Avenue to 125 m east of Marcus Avenue be set at 40 km/h; and

(e) That the speed limit on Laurier Avenue from Columbia Drive to South Bend Road (westerly end) be set at 40 km/h; and

(f) That the speed limit on Cranbrook Drive from Glenvale Drive to Gretna Court be set at 40 km/h; and

(g) That the speed limit on Gemini Drive from Cranbrook Drive to Gillard Street be set at 40 km/h; and

(h) That the speed limit on Randall Avenue from Centennial Parkway to the easterly end be set at 40 km/h; and

(i) That the speed limit on Highbury Drive from Gatestone Drive to 150 m east of Whitedeer Road be set at 40 km/h; and

(j) That the speed limit on Whitedeer Road from Rymal Road East to Highbury Drive be set at 40 km/h; and

(k) That the speed limit on Miller Drive from the westerly intersection of Garden Avenue and Miller Drive to Anson Drive be set at 40 km/h; and

(l) That the speed limit on Glenashton Drive from Dewitt Road to the west property line of 98 Glenashton Drive be set at 40 km/h; and

(m) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted. CARRIED.

25. Speed Limit Requests on Rural Roads - Flamborough and Stoney Creek (TOE02164) (Wards 9, 14, and 15) (Item 15.6)

(a) That the speed limit on Kirkwall Road from 450 metres north of Concession 8 West to 520 metres south of Concession 8 West be set at 60 km/h; and

(b) That the speed limit on Centre Road from Campbellville Road to 300 metres southerly be set at 60 km/h; and

(c) That the speed limit on Centre Road from 46 metres north of Concession 5 East to 450 metres south of Concession 6 East be set at 60 km/h; and

(d) That the speed limit on Second Road West from Rymal Road East to Highland Road West be set at 50 km/h; and

(e) That the by-law to amend the City of Hamilton By-law 01-215 be passed and enacted. CARRIED.

26. Recycling Program Issues (TOE02173) (City Wide) (Item 15.7)

(a) That from March 31, 2003 to December 31, 2005 the City's interim Recycling Program include the following components:

- i) Weekly curbside collection service for all eligible properties with 6 units or less;
- ii) Automated recycling cart collection services for all eligible properties with more than 6 units;
- iii) Recycling collection in public spaces;
- iv) Recycling collection from festivals and events;
- v) Collection of recyclable materials from elementary and secondary schools; and
- vi) Processing and marketing of recyclable materials at the City's Material Recycling Facility.

(b) That the General Manager of Transportation, Operations and Environment obtain detailed costing for the following options for the provision of collection services:

- i) Determine costs and resources required for the City, using its own forces, to deliver 100% of recycling collection services identified in recommendation (a) (i), (ii), (iii), (iv) and (v);
- ii) Determine costs and resources required for the City, using its own forces, to deliver 50% of recycling collection services (public zones) identified in recommendations (a) (i), (iii) and (iv);
- iii) Issue a Request for Proposals for 100% of recycling collection services identified in recommendation (a) (i), (ii), (iii), (iv) and (v);
- iv) Issue a Request for Proposals for 50% of recycling collection services (contracted zones) identified in recommendations (a) (i) ,(ii) and (iv);
- v) Issue a Request for Proposals for the provision of recycling collection services for Multi-residential properties from March 31, 2003 to December 31, 2005 in the option where

collection services are split 50/50 between the public and private sector; and

vi) Recyclable materials from schools will be collected either as part of the automated recycling cart service or as part of curbside collection service where collection services are split between public and private service providers.

(c) That the General Manager of Transportation, Operations and Environment obtain detailed costing for the following options for the processing and marketing of recyclable materials identified in recommendation a(vi):

i) Determine costs and resources required to operate the Material Recycling Facility (MRF) by City forces; and

ii) Issue a Request for Proposals for the operation of the City-owned Material Recycling Facility (MRF) from March 31, 2003 to December 31, 2005.

(d) That City staff meet and discuss with CUPE Local 5167 the options outlined in recommendations b(i); b(ii) and c(i) and obtain CUPE's input for in-house services.

(e) That Hamilton-Wentworth Third Sector Employment Enterprises be requested to submit a proposal to continue to provide training services and trainees for the processing operations from March 31, 2003 to December 31, 2005.

(f) That the Third Sector deficit of $808,000 be funded as follows:

i) First be absorbed in the 2002 Transportation, Operations and Environment Budget;

ii) second from overall 2002 Corporate Surpluses; and

iii) third from Tax Stabilization Reserves.

(g) That the General Manager of Transportation, Operations and Environment report back with the results of the RFP and costing process. CARRIED.

27. Request for an Allocation of Renewal Funds from the Ministry of Transportation Ontario (TOE02161/FCS02106) (City Wide) (Item 16.1)

(a) That pursuant to the Ontario Transit Renewal Program - Guidelines and Requirements, the Council of the City of Hamilton hereby requests an allocation of renewal funds for the year 2002, for conventional transit vehicles in the amount of $2,299,614.00.

(b) That pursuant to the Ontario Transit Renewal Program - Guidelines and Requirements, the Council of the City of Hamilton hereby

requests an allocation of renewal funds for the year 2002, for specialized transit vehicles in the amount of $867,899.00.
CARRIED.

28. 2002 Capital Budget Appropriation Adjustment - Rennie Street Closed Landfill (TOE02160/FCS02104) (City Wide) (Item 16.2)

That the 2002 appropriation in Capital Project Number 4149949030 (Rennie Street Closed Landfill Remediation) be increased by $1,500,000 from $6,341,000 to $7,841,000 and the increased funding be financed by a transfer from Capital Project Number 5129792711 (Former Brampton Street Landfill Rehabilitation). CARRIED.

29. Municipal Act Project - Sanitary Sewer on Fifty Road - North Service Road to McCollum Road (TOE02159/FCS02103/PD02185) (Ward 11) (Item 16.3)

(a) That pursuant to Section 221 and Subsection 210(85) of the Municipal Act, a full cost recovery mechanism be implemented in order to repay a developer for installation of a sanitary sewer on Fifty Road from North Service Road to McCollum Road at an estimated total cost of $155,363 (owner share) including private drain connections, to be recovered in total from benefitting property owners when they connect to the system;

(b) That the owner of 589 Fifty Road be required to pay an additional assessment estimated at $23,187 for the possible future development of the property as a condition of any future Development Agreement for the property; and

(c) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the necessary full cost recovery by-laws. CARRIED.

30. Consolidated Parkland Dedication/Cash-in-lieu of Parkland Policy and Bylaw Study (CS02076) (PD02184) (Item 16.4)

(a) That $65,000 be approved for the development of a consolidated parkland dedication/cash-in-lieu of parkland policy and bylaw study;

(b) That the funding source for this project be from the Hamilton Development Charge Parkland Acquisition Reserve Account No.102058. CARRIED.

31. Animal Control Sub-Committee (Item 18.1)

a) That the concept of a municipally managed Animal Control program for the City of Hamilton and a partnership with the Hamilton\Burlington Society for the Prevention of Cruelty to Animals whereby the H.S.P.C.A. will, among other things, operate an animal adoption program and provide enforcement of cruelty regulations under the O.S.P.C.A. Act, be endorsed; and

b) That staff be directed to prepare a detailed business plan for the City to assume accountability, responsibility and operation of the City's animal control program effective January 1, 2003, including:

   i) operational options;

   ii) a review of the dog licensing rate structure which considers the budget implications and effects on compliance by having one uniform rate across the City (possibly the $20/$40 split which previously existed in the former City of Stoney Creek);

c) That the business plan identified in recommendation b) be made available for consideration by City Council prior to the 2003 budget deliberations. CARRIED.

32. Mid Peninsula Corridor (Item 20.1)

(a) That an information session be presented to Council and staff by Ministry of Transportation analysing the issues surrounding the Mid-Peninsula Corridor and that this meeting be organized as soon as possible;

(b) That the City of Hamilton Transportation Staff work jointly with the staff of the neighbouring regions affected by the corridor route with regards to seeking public input on the proposal and committing to joint municipal conditions should the highway be put forward by the Province;

(c) That the peer review group currently retained by Burlington and the City of Hamilton present its findings to the public jointly in September and advertise jointly with Burlington on the public meeting to take place both in Burlington and Hamilton.

CARRIED.

33. First Place Medical Clinic

Whereas the provision of primary health care for close to 400 residents of the urban core area continues to be at risk as a result of the inadequate funding of the First Place Medical Clinic;

And whereas the patients of this clinic are frail seniors, persons with psychiatric disabilities and persons with multiple diagnoses, many of whom are also suffering from the effects of chronic low income;
And whereas a number of representatives of the area including Councillors Morelli and Horwath, MPP's Christopherson and Agostino, MP Shiela Copps, St. Joseph's CEO Dr. Kevin Smith, community representatives, First Place CEO Gary Quart and city of Hamilton Public Health Nurses have been working diligently to find a funding solution that recognizes the unique service needs of patients in this area;

And whereas the development of a permanent solution requires more time and effort of the above-noted partners as well as the commitment of others including the provincial government;

And whereas a temporary solution can be attained through the co-operation of existing parties each of whom have committed to providing a portion of the operational requirements of the clinic;

Therefore, be it resolved that the City of Hamilton provide interim funding for half-time nurse practitioner for a maximum of one year at a cost of approximately $40,000 funded from the Contingency Account;

And be it further resolved that the nurse practitioner be provided to St. Joseph's Hospital or their designate and that the responsibility for monitoring and issues of clinical quality will rest with St. Joseph's.
CARRIED.

34. Appointment of Steering Committee - Water and Wastewater - Business Case Study

That a Steering Committee composed of the Mayor, Councillors M. Ferguson, M. McCarthy, C. Collins and F. D'Amico, S. Merulla, C. Hantho, Peter Routliff, Hamilton Utilities, Gus Oliviera, CUPE and Greg Hoath, IUOE, be established to work with staff from the City of Hamilton and Hamilton Utilities Corporation in the preparation of a business case study which examines the feasibility of establishing under the new Municipal Act, 2001, a Water and Wastewater Corporation owned by the City of Hamilton. CARRIED.

35. Taxi Scrip

Whereas our Taxi Scrip program for people with physical disabilities who are most often on a limited income has not been increased to reflect the cost of taxis since the December 1999 taxi meter rate increase;

And whereas this lack of increase to our Taxi Scrip program funding to offset taxi meter rate increases has resulted in persons with disabilities suffering a reduced number of trips per month;

Be it resolved, that the 2003 Budget Process for Transit include the necessary budget enhancement to allow adequate funding to the Taxi Scrip program therefore establishing equity between those individuals with a disability who use DARTS (and as such are also able to purchase Taxi Scrip for spontaneous rides) and those whose sole means of access is through the Taxi Scrip program;

And be it further resolved that any staff direction or recommendation that would negatively impact this proposed funding increase to our taxi Scrip program be brought to Council for debate. CARRIED.

36. Painting of Murals on Traffic Control Boxes

Whereas the King Street West BIA supports an initiative to pain murals on the traffic control boxes within the boundaries of the King Street West BIA;

And whereas the King Street West BIA is willing to cover the cost of the murals with the monies the City has for projects within the BIA's;

And whereas the King Street West BIA has agreed to assume the responsibility for the maintenance of the murals;

Therefore be it resolved that Council endorse a pilot project to allow for public art installation on City-owned property, specific murals being painted on the traffic Control Boxes within the King Street West BIA;

Be it further resolved that any murals installed through this Pilot Project be subject to a contractual agreement with the City of Hamilton specifying the obligations of the mural sponsor;

Be it further resolved that City of Hamilton staff from Traffic Engineering and Operations liaise with the artists to ensure that the painting of murals does not affect any access to the traffic signal boxes for maintenance.

CARRIED.

37. Issuing of Liquor Licenses for Outdoor Boulevard Cafes

That staff be directed to forward correspondence to the Alcohol and Gaming Commission of Ontario requesting that liquor licenses not be issued for outdoor boulevard cafes and patios without the written approval from the City of Hamilton verifying the patio capacity, and that all City of

Hamilton requirements, including patio encroachment agreements where applicable, have been met. CARRIED.

38. Contract Negotiations - Hamilton Tiger Cats (CS02079) (Item 23.2)

That negotiations respecting the agreement to utilize Ivor Wynne Stadium with the Hamilton Tiger Cat Football organization be deferred until closer to the end of their agreement set to expire on November 15, 2004.
CARRIED.

FOR THE INFORMATION OF COUNCIL:

Condolences were extended to Councillor Powers and his family on the passing of his mother.

(a) DECLARATIONS OF INTEREST

Item 4.1 Councillor M. Ferguson declared an interest as he owns a business noted in the item.

(b) ADOPTION OF MINUTES

2.1 August 13, 2002

The Minutes were amended to delete the figure 1500 in Item 16 and replacing with 1700 in lieu thereof.

(c) DELEGATION REQUESTS

The following delegation requests were approved for referral to the Hearings Sub-Committee:

3.1 Request to address the Hearings Sub-Committee by Ms Teresa Cascioli, President & C.E.O. of Lakeport Brewing Corporation respecting installation of a drive-through Beer Store at Lakeport facility

3.3 Request to address the Hearings Sub-Committee by Ms. Janet Whitehouse, Bell-Community Development, Burlington respecting expansion into new location in downtown Hamilton

3.4 Request to address the Hearings Sub-Committee by Mr. Richard Leibtag, Student Living Centres respecting proposed student residence project at Jackson/John Streets

3.5 Request to address the Hearings Sub-Committee by Mr. Don McLean, Friends of Red Hill Valley respecting release of documents pertaining to Red Hill Creek

Note: Delegation Item 3.2 Request to address the Hearings Sub-Committee by Mr. Mike Anderson, President, Dundas Minor Hockey respecting ice allocation - youth vs. adult was withdrawn.

(d) Creation of a Permanent Hamilton Future Fund - Final Report (FCS02107) (City Wide) (Item 6.1)

Staff were directed to provide monthly reports to Council and the Trustee Panel on the approved projects to assist in the monitoring of these projects.

(e) Overnight Parking on Through Streets (TOE02124) (Item 15.1)

Subsection c) noted below was deleted from the recommendation:

"(c) That, as a cost prevention and maintenance optimization measure, during the 2003 current budget deliberations, the status of through streets which have had parking bans relaxed to permit parking overnight (as listed in Appendix A to this report), should be reviewed with consideration being given to restoring the overnight parking bans."

(f) Report of the Accommodations Study Sub-Committee respecting Hamilton City Hall - Alternative Downtown Accommodations (Ward 2/City Wide) (Item 5.2)

This item was referred to a special Accommodations Study Sub-Committee meeting to be scheduled in two weeks. All members of Council are to be invited to attend.

Staff were further directed to report back on staff disruption (staff time and dollars associated with relocating if building demolished, budget plan dealing with major structural repairs to building especially health and safety issues

(g) 2002 Capital Budget Appropriation Adjustment - Rennie Street Closed Landfill (TOE02160/FCS02104) (City Wide) (Item 16.2)

Staff were requested to prepare a memorandum on monies spent to date to remediate Red Hill Creek area above and below escarpment over the last 10 years.

(h) The following item was deferred to City Council to allow the Ward Councillor the opportunity to further review the issues addressed in the report:

Appeal to the Ontario Municipal Board - Benemar Construction (Item 23.1)

(i) The following item was referred to the Hearings Sub-Committee:

Option to Purchase - Bennetto School, 444 Hughson Street North
CM02005 (City Wide) (Item 23.3)

(j) Notice of Motion

The following Notice of Motion was moved by Councillor A. Horwath:

Whereas many persons with disabilities in Hamilton rely solely on public transit for transportation;

And Whereas many people with disabilities receive Ontario Disability Support Program benefits that will only provide bus passes to recipients who have medical appointments a minimum of 15 times a month;

And whereas the cost of a bus pass is often prohibitive for people whose only source of income is the O.D.S.P. benefit;

Be it resolved that staff of the Social and Public Health Department examine the feasibility of a subsidy program, equal to the current discount available for seniors, for bus passes for individuals on O.D.S.P. benefits in need of affordable public transit but deemed ineligible by the provincial O.D.S.P. for a bus pass;

Be it further resolved that the results of this study be brought to Council including all issues of eligibility, program administration and projected costs.

(k) General Information

Councillor Merulla requested the Planning and Development staff provide a report on Roof Top Patios.

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Mayor R. Wade

R. Caterini, Deputy Clerk
M. Gallagher, Co-ordinator
September 10, 2002

Council - September 11, 2002

SECTION 3

3.1

#1 Se,

To Members of Council,

This letter to council is for me to fire dept.

This is concerning the accident in Hwy 56 on Monday, who the lady who lost her life.

I'm concerned about that the fire rescue lack of respond time to this and all other calls being called in to 911.

I've heard this over and over my radio. R-17 R-11 were in accident when the calls go out to Dundas it takes 15 minuts for respond, same as Ancaster, and flamborough. Lynden, Rockton, Glanbrook, Binbrook and Stoney Creek.

The dispatcher keeps calling 3-4 times before theres a answer. Improve fire service for respond time + have more vehicles instead of less.

Rembere before we took over Dundas had four pumps, ladder truck, rapid respond, a minivan. and tanker, sume other stations

Sept 10/2

had a little different than others. Ancaster had the Suburban, two pumps, one as tanker and a older ladder truck.

Now ancaster has one pump and tanker, there should be one more to cover for more better respond time.

What the city needs in more rescues - more & better equipment that go all ver the city for one vehicle to cover - no good.

We need more equipment.

One rescue cannot go from East to West and then from North to South. It cannot cover whole city.

Squad 1 is not big enough its too light weight, it doesnt carry enough equipment, too small.

I'm asking for heavy weight duty, it's what they should f got in the first place.

asking for a rescue unit to being placed into station one instead of squad 1.

Station 9 has not got a rescue & needs one to cover to Hwy 20.

Station 10 needs a rescue to cover to Hwy 403.

Station 10 has a ladder but wheres the pumps to cover area.

We cannot send a laddar truck to a medical call.

Ladder trucks are made for fires not medical calls.

You tie up lvehicles for this?

Not made for this.

There should be more rescues for medical calls.

If a ladder truck is responding to medical call and a second alarm comes in where is this ladder to go, if its in the area? if in case of fire?

First of all there is not enough ladder trucks for whole city for coverage in case

Sept 10/200

of fire alarm.

Station #1 has one ladder truck. Station #6 had, it got taken out. Theres no coverage for that area.

Ladder #1 or #9 had to respond. for #6.

Why are we bringing another ladder from another station to cover? Get more ladders. for each station., more rescues.

Station #1 has to be replaced its over 130 years old. This is crazy. Its falling all apart, Members of council go down and look at the station and get them a new one, do it for them. the fire fighters.

There is a empty lot at Wilson & John same side as station 1 beside hydro.

The station doors are to small. The trucks are barely getting through. What about if we get a bigger fire vehicle? What about the mirrors? what about if they fall off?

Sept 10/2000

Sunday night I walked by Station #1
I was talking with a fire
fighter. I'm asked him where's
Squad 1?, why isnt it in front
line?
The reply was not in service for
mechanical problems. as I was
standing by the hydro, an
alarm came in. He got in
to car #71. as in squad #1.
A case like this there should
be a extra rescue for coverage.
There is a rescue in #13.
Its been there for three weeks.
doing nothing.
Why couldnt that be for Rescue
1 for Temproary until we got
more rescue? It sits there.
going for rides.
We need more rescues.
If this not delt with
probably and properly I will
have to write Solicitor General
and fire marshal.
I have tried before
no proper answer.

Sept 10/20

One last important note or reminder.

The city council has to wake up sooner rather than later. because.

① we have the plastimet

② we have the Sept 11 of last year.
FDNY LOST 343 FIRE FIGHTERS

③ we have a regular fire bug.

④ we have fire fighters who risk their lives everyday for us.

⑤ should be important to everyone.

Thankyou,
Mr B Sardo
197 Bay St N
Ham ont L8R 2R1

PS. I would like a date for City Council to speak.

allagher, Mary

3.2

om: Piedimonte, Diane
nt: September 12, 2002 11:46 AM
: Gallagher, Mary
bject: FW: Tigers' Lair and the Hearings Sub-Committee

per our conversation, please take the necessary steps of action to follow up on this request. Thank you.

-Original Message-----
om: Christa [mailto:christachamberlain@sympatico.ca]
nt: September 10, 2002 7:22 PM
 smerulla@city.hamilton.on.ca
bject: Tigers' Lair and the Hearings Sub-Committee

Sam,

rther to our conversation today, could you please assist me in requesting appear as a delegation before the Hearings Sub-Committee.

e Tigers' Lair is a not-for-profit organization dedicated to promoting the y of Hamilton at the Grey Cup this year and Edmonton and every year ward.

 are looking for funding assistance.

anks,

rista Chamberlain
: (905) 547-1463
x: (905) 547-9417
ail: christachamberlain@sympatico.ca

SECTION 4

**AFFECTS
WARD 12**

CITY OF HAMILTON

4.1

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	David Cuming (905) 643-1262 Ext. 215
File:	HP2002-021		

SUBJECT: Heritage Permit Application (HP2002-021) under Part IV of the Ontario Heritage Act to Permit the Construction of a Parking Area at 343 Wilson Street East, Ancaster, in the City of Hamilton (PD02177) (Ward 12)

RECOMMENDATION:

That a Heritage Permit (HP-2002-021) be approved for the construction of a parking area at 343 Wilson Street East, Ancaster, according to the plan accompanying the permit application, attached as Appendix B to Report PD02177, and the following conditions:

a) The provision of Pachysandra Terminalis (Japanese Spurge) or Vinca Minor (Periwinkle) within the “0.6m Wide Landscaped Planting Strip” denoted on the plan accompanying heritage permit application HP-2002-021.

b) The planting of a spreading yew hedge (Taxus Media Andersonii, Anderson Spreading Yew) planted at 90cm. on centre, 1.5 metres to the south of the three parking spaces adjacent to the southerly property boundary denoted on the plan accompanying the heritage permit application HP-2002-021.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This former 1860s residence is to be adaptively re-used for commercial purposes. Of the required fourteen (14) parking spaces, five (5) are to be provided in the front yard and these would affect the Reasons for Designation. The proposed parking spaces are to be constructed using the "StreetPrint Pavement Texturing™", (a system of imprinting, texturing and colouring asphalt). The heritage permit application is recommended for approval.

BACKGROUND:

343 Wilson Street East, (see Appendix A to Report PD02177 attached), known locally as the Richardson-Ashworth House, was built in the 1860s as a doctor's residence and office. The setting of this prominent two-storey, stone structure was included in the reasons for designation contained in the former Town of Ancaster's designating by-law 78-88 and was specifically described as the "view of house from Wilson Street (i.e. the present open space in front of the building)".

The "present open space" comprises an expansive area of grass, several mature trees and a driveway located at the northern edge of the subject lands that allows access to the rear yard. The proposed parking area will alter the current open space character. Sufficient mitigative measures are now incorporated into the parking area design that the subject application is recommended for approval.

ANALYSIS OF ALTERNATIVES:

The application has been the subject of a number of alternative solutions examined by both the applicant and staff. The applicant's original submission of black asphalt and concrete curbing was considered to be unacceptable for this designated heritage property. The applicant and staff subsequently investigated limestone aggregate and various bonding agents as an alternative surface. It was anticipated that this would be suitable for parking and a visually acceptable fit to the heritage setting of the Richardson-Ashworth House. Following more detailed review the consolidated surface and binding agents were considered to be insufficiently robust to withstand ploughing in winter. Loose aggregate and the binding agents also had the potential to be tracked into the roadway and eventually the sewer system.

Accordingly, the applicant proposed "StreetPrint Pavement Texturing™" a system of imprinting, texturing and colouring asphalt. The proposed parking area will comprise two distinct surface treatments:

- the main parking area will be in an "Ashlar Slate" to resemble a rectangular but irregularly coursed pattern of stone, and
- a border comprising a "Texas" pattern made to resemble regularly coursed, square masonry blocks.

Staff considers that this surface treatment will be more appropriate to the heritage setting of the Richardson-Ashworth House and overcome the "commercial plaza" look of black asphalt and concrete curb. Additional planting has been recommended as a condition of approval to emphasize edge delineation in the absence of concrete curbs and to enhance the domestic setting of this former residence.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – not applicable

Staffing – not applicable

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

The former Town of Ancaster's Official Plan makes provision for the protection of cultural heritage generally (Section 2.5) and more specifically in the Ancaster Heritage-Village Core (Section 5.4) in which the subject lands are situated. The approval of this heritage permit would be in keeping with these policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

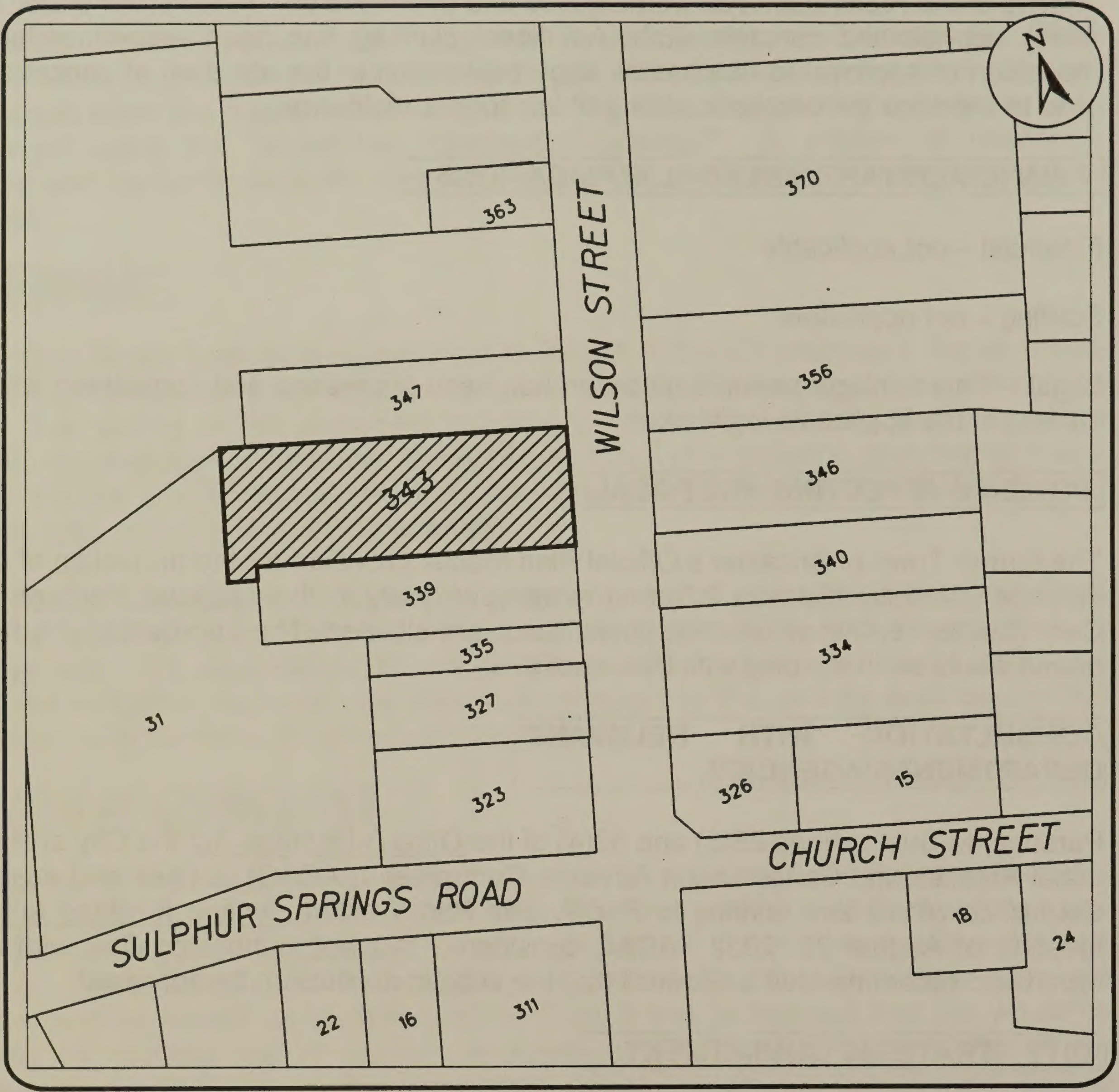
Pursuant to Subsections 28(2) and 33(4) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the Council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of August 22, 2002 LACAC considered this application together with a staff report and recommended to Council that the subject application be approved.

CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:DC
Attachs. (2)

Appendix A to Report PD02177
C.O.W.
September 17, 2002


N
WILSON STREET
CHURCH STREET
SULPHUR SPRINGS ROAD
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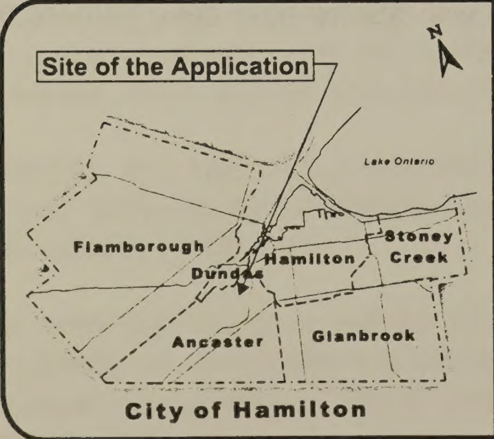

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
343 Wilson Street East

Filename/number
343 Wilson

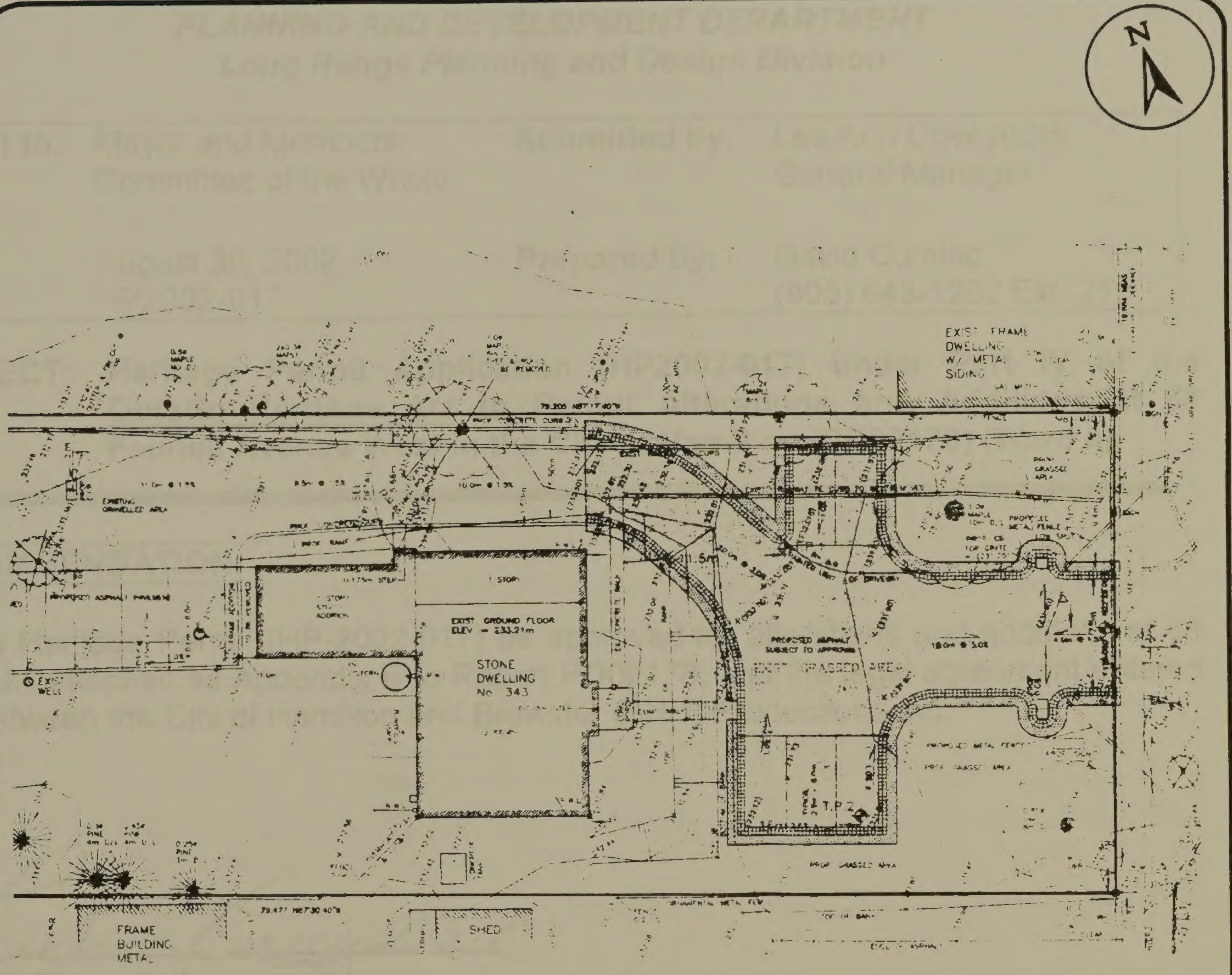
Date
July 29, 2002

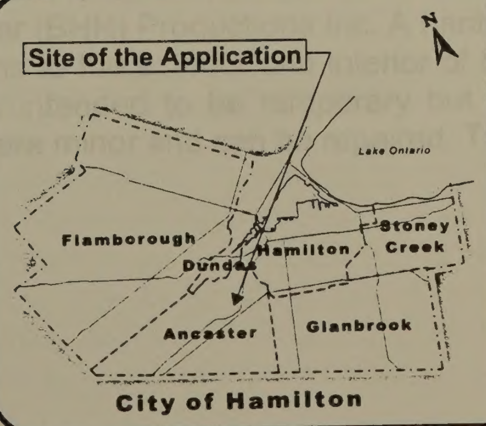
Technician:
CL

Map Not to Scale

Appendix "A"

Appendix B to Report PD02177
C.O.W.
September 17, 2002


N
EXIST FRAME DWELLING W/ METAL SIDING
EXISTING GRAVELLED AREA
PROPOSED ASPHALT PAVEMENT
EXIST WELL
1 STOREY
EXIST GROUND FLOOR ELEV = 233.21m
STONE DWELLING No 343
PROPOSED ASPHALT SUBJECT TO APPROVAL
EXIST GRASSED AREA
1.5m
18.0m @ 3.0%
PROPOSED METAL FENCE
PROP GRASSED AREA
T.P.2
FRAME BUILDING METAL
SHED


Site of the Application
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Proposed Parking Area

343 Wilson Street
Extract from grading, landscaping and storm water management plan, printed July 30, 2002, Sidney W. Woods, Engineering Inc.

Filename/number
343 Wilson-LACAC

Date
August 13, 2002

Technician:
LM

Map Not to Scale

Appendix "A"

AFFECTS WARD 8

CITY OF HAMILTON

4.2

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	David Cuming
File:	HP2002-017		(905) 643-1262 Ext. 215

SUBJECT: Heritage Permit Application (HP2002-017) under Part IV of the Ontario Heritage Act to Permit Alterations and Additions at 88 Fennell Avenue West in the City of Hamilton (PD02178) (Ward 8).

RECOMMENDATION:

That a Heritage Permit (HP-2002-017) be approved for alterations and additions at 88 Fennell , attached as Appendix B to Report PD02178, and the legal agreement entered into between the City of Hamilton and Brewster (BHH) Productions Inc.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

"Auchmar", located at 88 Fennell Avenue West, is currently the location of a film shoot by Brewster (BHH) Productions Inc. A heritage permit is required for several alterations and additions to the exterior and interior of heritage fabric of the main house. The proposed work is intended to be temporary but will result in adverse effects to heritage fabric. These are minor and can be repaired. The application is recommended for approval.

BACKGROUND:

88 Fennell Avenue West, see Appendix A to Report PD02178 attached, was designated under Part IV of the Ontario Heritage Act (By-law No. 00-37) by the former City of Hamilton. The designation includes a variety of features that are described in the "Reasons for Designation". Amongst these is the manor house and in particular its "four original exterior facades-walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling."

The applicant proposes the following exterior work that would affect designated features:

- installation of a *faux* sandstone base at the first floor level of the south façade;
- construction of a timber porch/portico at the west entrance on the south façade;
- painting the white stucco of the west, south, east and north façade in khaki/taupe acrylic paint;
- replacement of 14 "non-heritage" windows with a variety of single hung/casement windows; and,
- installation of new faux stone wall at the southwest corner of the main house.

Interior work is also proposed and includes:

- painting of hallways, rooms, plaster and vault groins; and
- installation of windowed doors, and repair of ceiling rosette

The proposed work has been completed at the time of report writing and site inspections have been made by staff of the Ontario Heritage Foundation, City staff and members of LACAC. The principal conservation issue is ensuring that any adverse changes to the physical fabric of the main house are suitably mitigated after film production has ceased.

ANALYSIS OF ALTERNATIVES:

The work has been completed and there are no alternative methods proposed in either temporarily attaching the variety of faux surfaces to the main house or in the choice of other alterations and additions. The critical matter is in the choice of post-production clean-up, repair and treatment of surfaces, materials and features that have been subject to alteration, e.g., nailing of *faux* stone surface to exterior walls, painting of walls, rehanging of doors, etc.

The legal agreement between the City and Brewster (BHH) Productions Inc. makes provisions for appointing a site representative to monitor use of the property (Agreement Item 20), maintaining the property in a clean, tidy and safe condition (Agreement Item 22) as well as returning the property to its original condition (Agreement Item 25). Agreement Item 26 also requires the need for written approval for any other alterations. Together these provisions account for sufficient remediation and mitigation for the protection of heritage fabric.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – not applicable

Staffing – not applicable

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation. A legal agreement between the City and Brewster (BHH) Productions Inc. also provides for a variety of measures that address remediation and mitigation provisions.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The subject permit application is considered to be in keeping with Official Plan policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

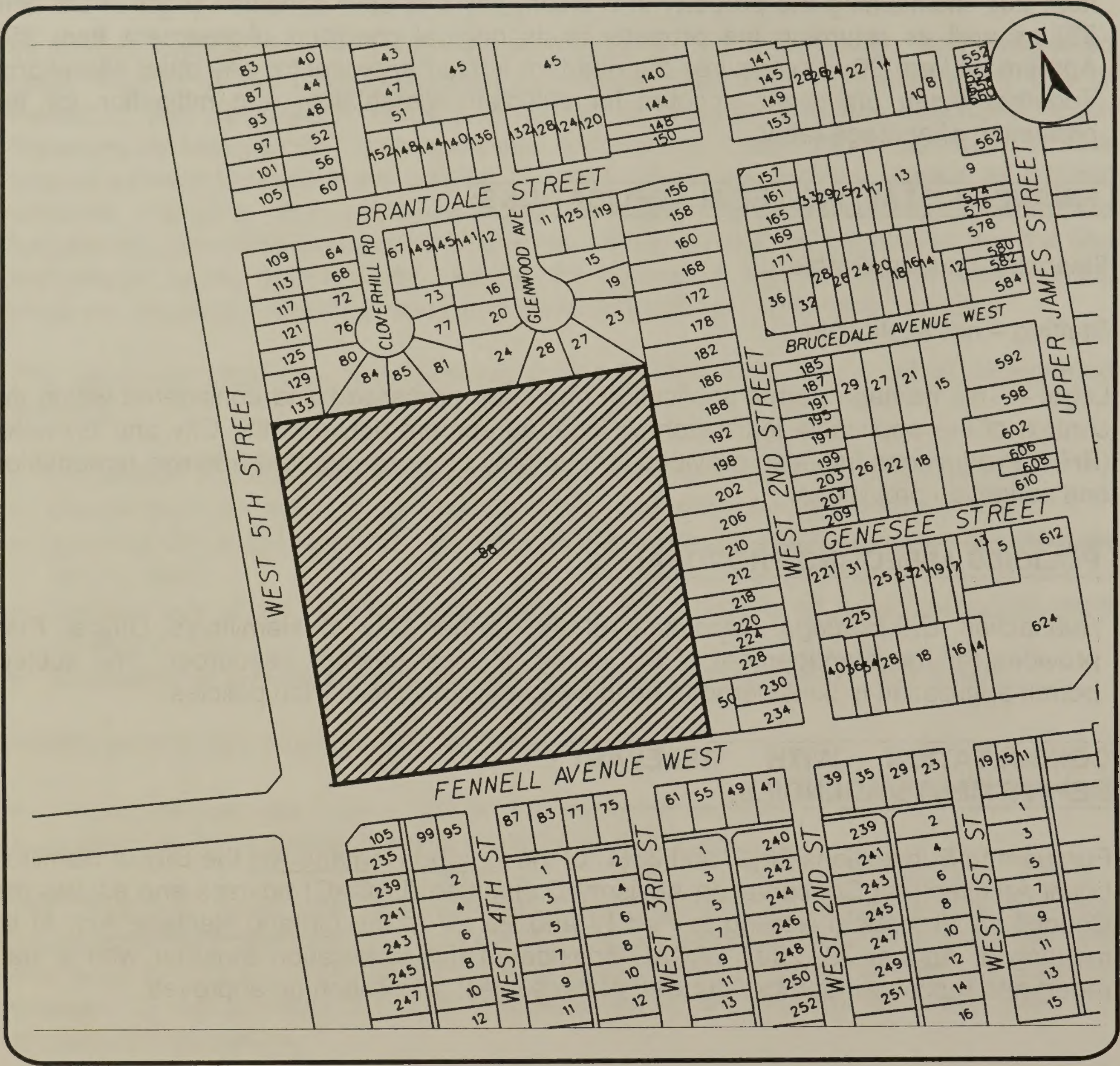
Pursuant to Subsections 28(2) and 33(4) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the Council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of August 22, 2002 LACAC considered this application together with a staff report and recommended to Council that the subject application be approved.

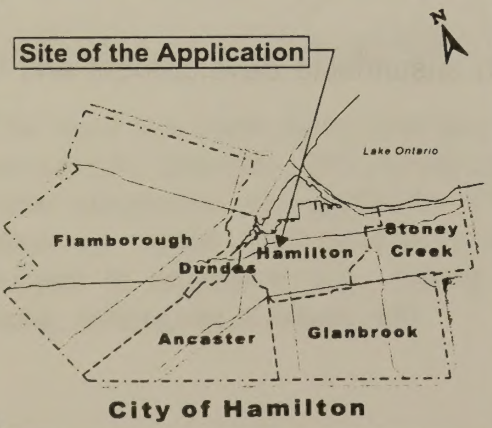
CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:DC
Attachs. (2)

Appendix A to Report PD02178
C.O.W.
September 17, 2002


N
BRANTDALE STREET
CLOVERHILL RD
GLENWOOD AVE
BRUCEDALE AVENUE WEST
UPPER JAMES STREET
WEST 5TH STREET
WEST 2ND STREET
GENESEE STREET
FENNELL AVENUE WEST
88
WEST 4TH ST
WEST 3RD ST
WEST 2ND ST
WEST 1ST ST


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
88 Fennel Ave West

Filename/number *88 Fennel Ave W*
Date *July 24, 2002*
Technician: *LM*
Map Not to Scale
Appendix "A"

"Black Hole High"

PROPOSED WORK TO AUCHMAR ESTATE

INTRODUCTION

All work will be colour coordinated with original architecture and subject to approval before commencement.

All exterior fastening to existing stucco on brick would be tapconed with 3/16" holes and interior surfaces would be patched with matching stucco at strike and painted to match approved colours.

EXTERIOR -WORK

1. Stone - See Drawings
Faux sandstone base in Durex (hardshell) would be painted with exterior acrylic colours to match existing stonework.

2. Portico - See Drawings
Timber porch/portico entry over existing stone porch. Porch would be structurally independent but attached to existing brick for stability.

3. Paint - See Drawings
All existing white stucco over original brick would be painted. This includes upper portions of south, west, and east facades and upper/lower walls of north facades plus chimneys - to be prepped and painted in exterior acrylic historic colours (Benjamin Moore).

4. Window - See Drawings
Windows (14 in all) will be replaced with solid pine sash, ogee profile montins proportioned to verticaland mullions added to upper level.

5. Door - See Drawings
We would like to remove door from hinges, leaving hinges in place and attach door with window.

6. Fence - We would like to remove chain link fence and replace at completion of project.

INTERIOR - WORK

1. Paint - Hallways
See Drawings
Portions of interior corridors and some rooms would be prepped and painted as shown on key plan. Ornamental plaster and vault groins would be painted as shownto be prepped and painted in exterior acrylic historic colours (Benjamin Moore).

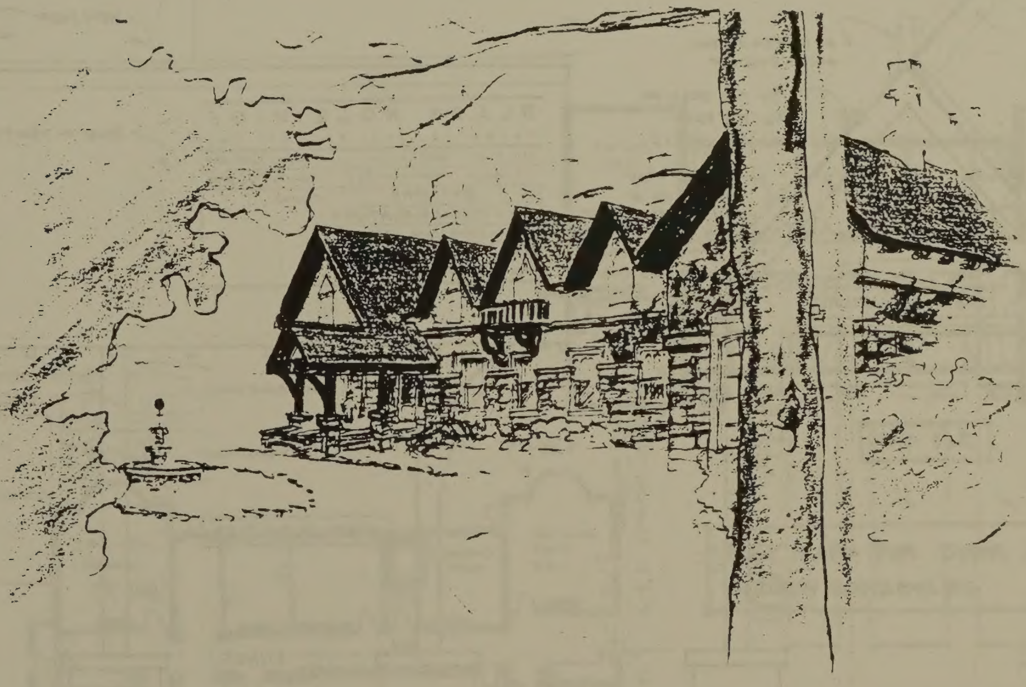
2. Floors See Drawings
Some areas we like to remove carpeting replace one tiled area if possible.

3. Sconces Some areas we like to replace some sconces for lighting and dressing purposes, eight in total.

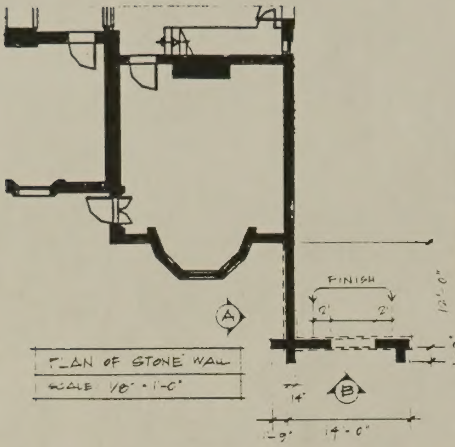
4. Doors Doors to office areas and classrooms we would like to replace with windowed doors we will use existing hindges.

5. Repair Work Some areas require repair.
Roof Link South West room will require repair and of interior and exterior. See Drawing #1/ for detailed

Ceiling Rosette requires repair in East Stairwell.
See Drawing #1/ for detailed



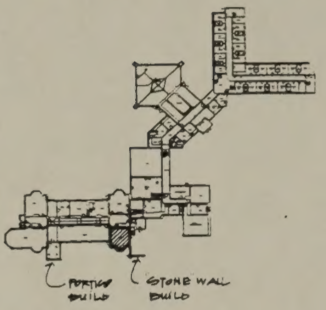
BLACK HOLE HIGH
BLACK HOLLOW PREP SCHOOL
PROPOSED EXTERIOR
JUNE [illegible]/02


FINISH
2'
2'
12'-0"
1'-3"
14'
1'-9'
14'-0"
A
B

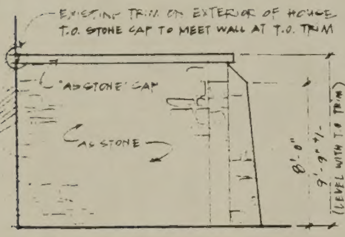
PLAN OF STONE WALL
SCALE 1/8" = 1'-0"

T.O. EXISTING TRIM HERE TO DETERMINE HEIGHT OF STONE WALL

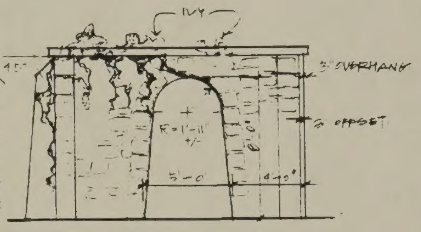
PHOTO- LOCATION OF WALL BUILD


PORTICO BUILD
STONE WALL BUILD

LOCATOR PLAN

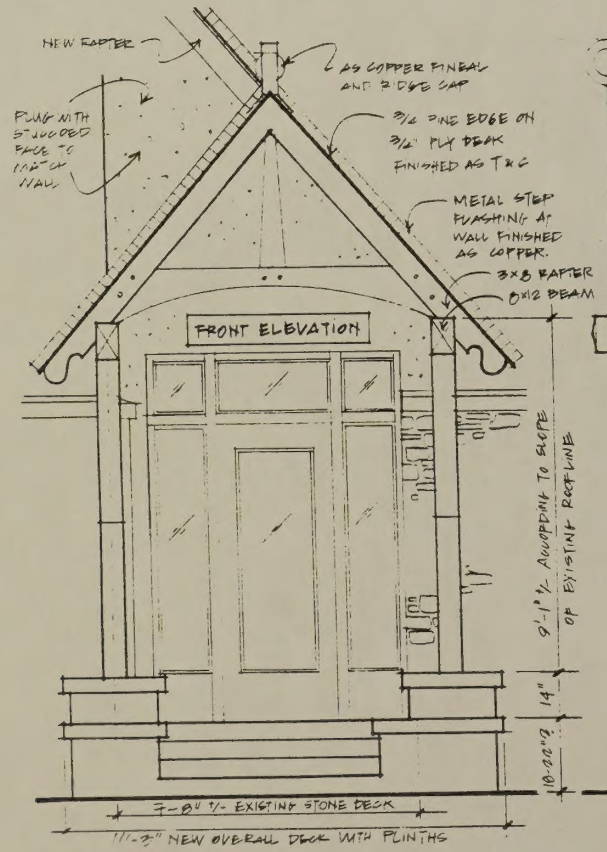

EXISTING TRIM ON EXTERIOR OF HOUSE
T.O. STONE CAP TO MEET WALL AT T.O. TRIM
"AS STONE" CAP
AS STONE
8'-0"
9'-9" +/-
(LEVEL WITH T.O. TRIM)

ELEVATION "A" OF "STONE" WALL
SCALE 1/4" = 1'-0"

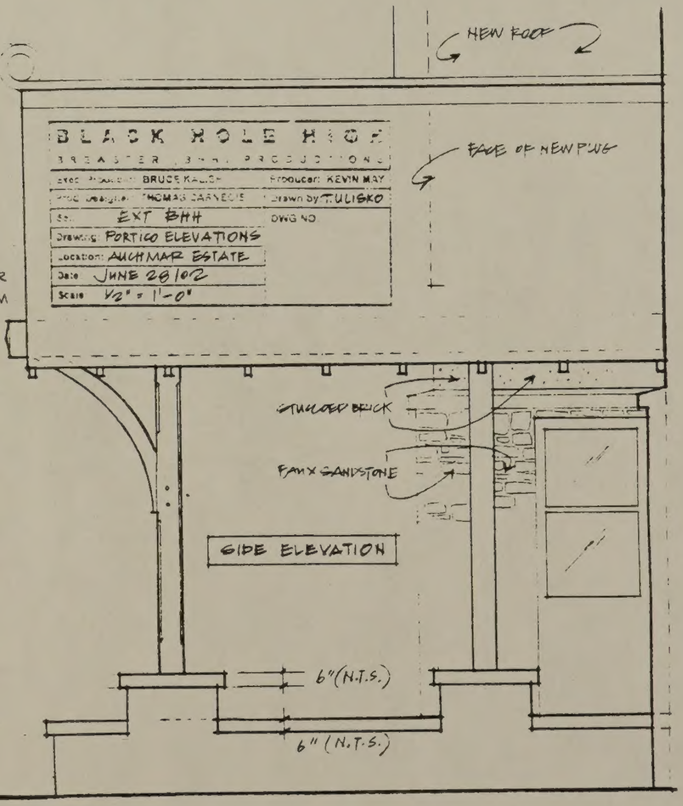

IVY
45°
3" OVERHANG
3" OFFSET
R = 1'-11" +/-
8'-0"
5'-0"
4'-0"

ELEVATION "B" OF STONE WALL
SCALE 1/4" = 1'-0"

BLACK HOLE HIGH BREWSTER (BHH) PRODUCTIONS	
Exec. Producer: BRUCE KALISH	Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE	Drawn by: T. ULISKO
Set: EXT. BHH	DWG NO:
Drawing: STONE WALL BUILD	
Location: AUCHMAR ESTATE	
Date: JUNE 27/02	
Scale: AS SHOWN	

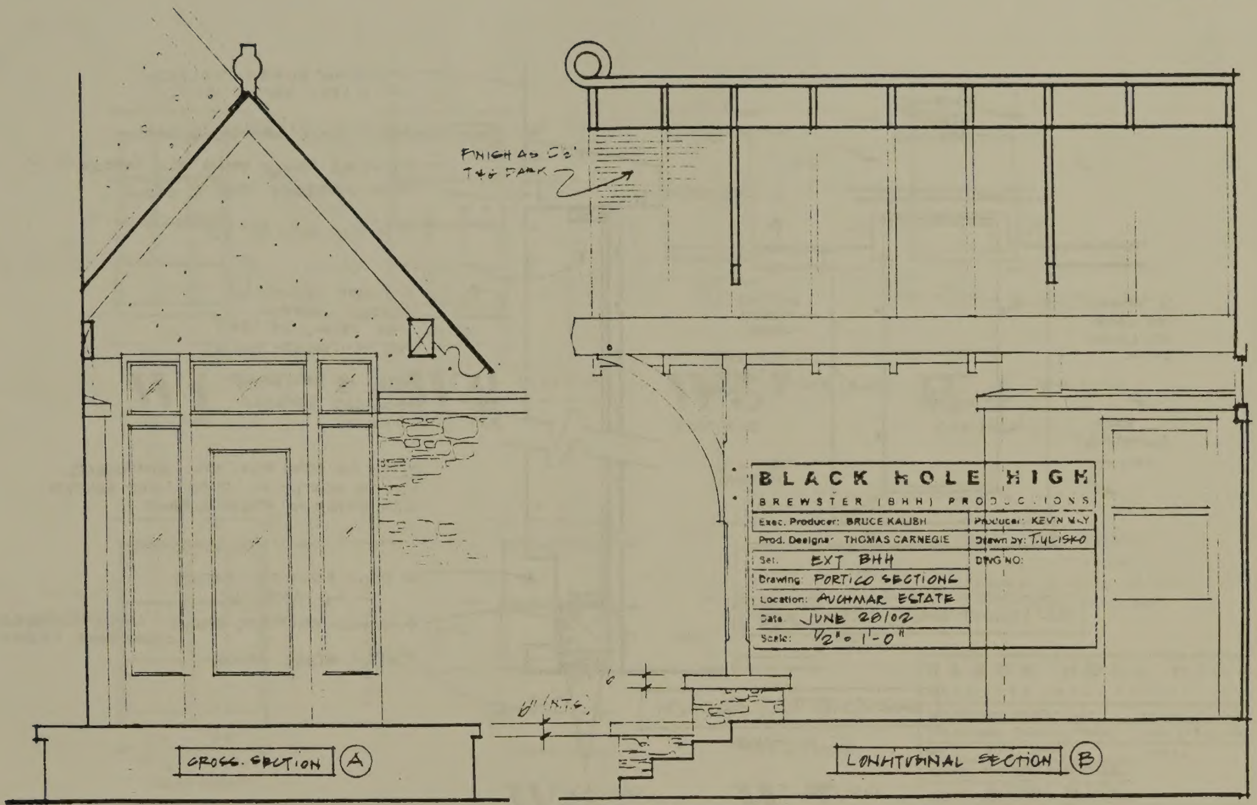

NEW RAFTER
AS COPPER FINEAL AND RIDGE CAP
PLUG WITH STUCCOED FACE TO MATCH WALL
3/4 PINE EDGE ON 3/4" PLY DECK FINISHED AS T&G
METAL STEP FLASHING AT WALL FINISHED AS COPPER.
3x8 RAFTER
8x12 BEAM
9'-1" +/- ACCORDING TO SLOPE OF EXISTING ROOFLINE
14"
10-22"?
7-8" +/- EXISTING STONE DECK
11'-3" NEW OVERALL DECK WITH PLINTHS

FRONT ELEVATION


NEW ROOF
FACE OF NEW PLUG
STUCCOED BRICK
FAUX SANDSTONE
6"(N.T.S.)
6"(N.T.S.)

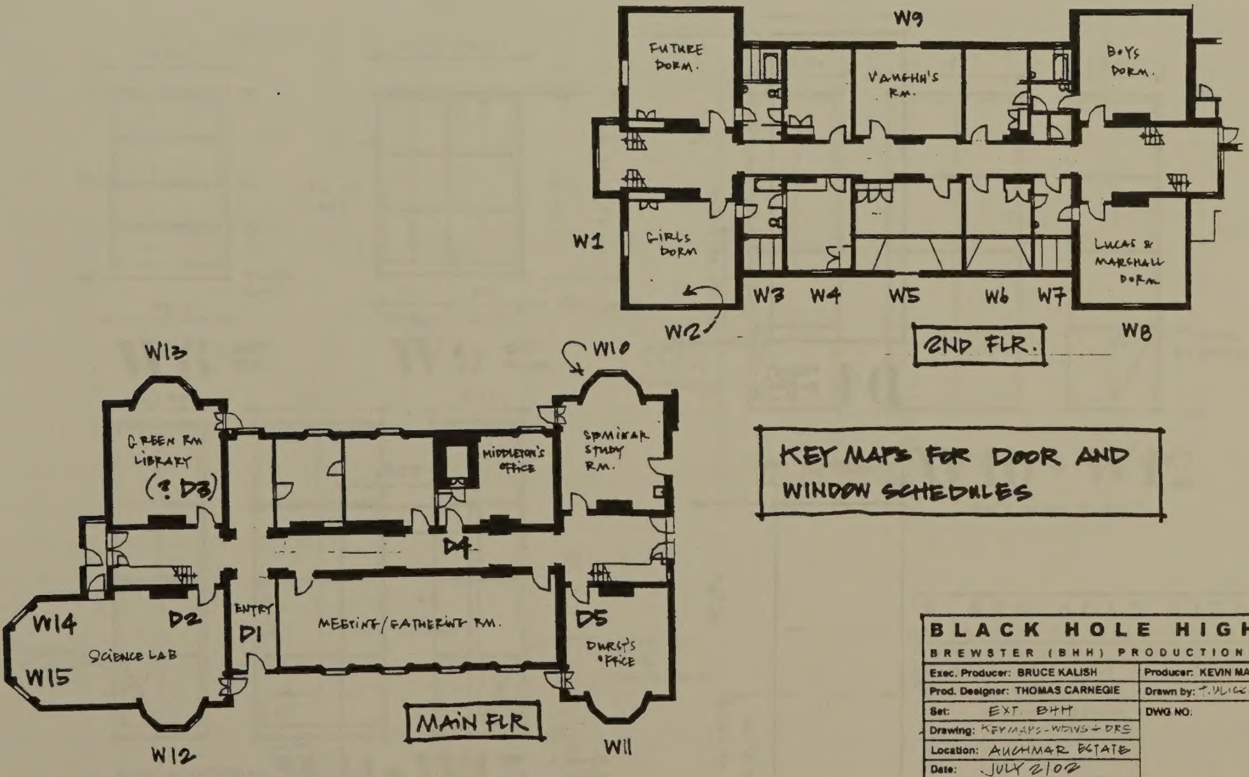
SIDE ELEVATION

BLACK HOLE HIGH BREWSTER (BHH) PRODUCTIONS	
Exec. Producer: BRUCE KALISH	Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE	Drawn by: T. ULISKO
Set: EXT BHH	DWG NO
Drawing: PORTICO ELEVATIONS	
Location: AUCHMAR ESTATE	
Date: JUNE 28/02	
Scale: 1/2" = 1'-0"	


FINISH AS C's T&G PARK
6
6" (N.T.S.)
CROSS SECTION (A)
LONGITUDINAL SECTION (B)

BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS

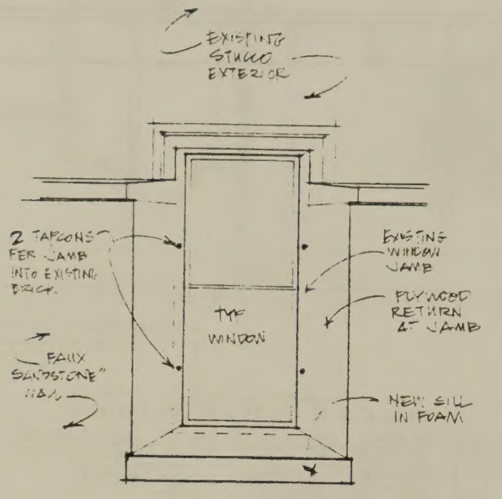
Exec. Producer: BRUCE KALISH	Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE	Drawn by: T.YULISKO
Set: EXT BHH	DWG NO:
Drawing: PORTICO SECTIONS	
Location: AUCHMAR ESTATE	
Date: JUNE 20/02	
Scale: 1/2" = 1'-0"	


W9
FUTURE DORM.
VAUGHN'S RM.
BOYS DORM.
W1
GIRLS DORM
LUCAS & MARSHALL DORM
W2
W3
W4
W5
W6
W7
W8
2ND FLR.
W13
W10
GREEN RM LIBRARY (? D3)
MIDDLETON'S OFFICE
SEMINAR STUDY RM.
D4
W14
D2
ENTRY
D1
MEETING/GATHERING RM.
D5
DURST'S OFFICE
SCIENCE LAB
W15
MAIN FLR
W12
W11

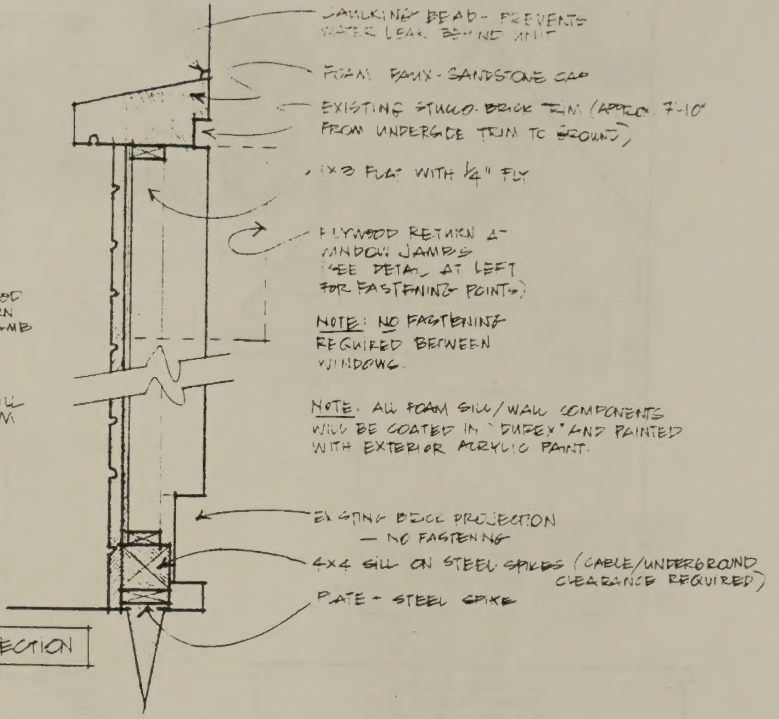
KEY MAPS FOR DOOR AND WINDOW SCHEDULES

BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS

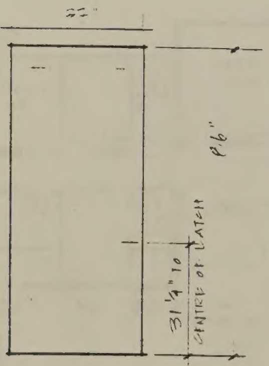
Exec. Producer: BRUCE KALISH	Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE	Drawn by: T.YULISKO
Set: EXT. BHH	DWG NO.
Drawing: KEYMAPS - WDWS + DRS	
Location: AUCHMAR ESTATE	
Date: JULY 2/02	
Scale: N.T.S.	


EXISTING STUCCO EXTERIOR
2 TAPCONS PER JAMB INTO EXISTING BRICK.
EXISTING WINDOW JAMB
PLYWOOD RETURN AT JAMB
TYP WINDOW
FAUX SANDSTONE" WALL
NEW SILL IN FOAM

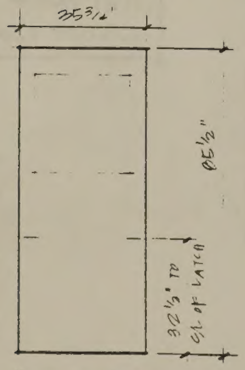
3-D VIEW OF WALL @ WINDOW JAMB


CAULKING BEAD - PREVENTS WATER LEAK BEHIND UNIT
FOAM FAUX - SANDSTONE CAP
EXISTING STUCCO-BRICK TRIM (APPROX. 7-10" FROM UNDERSIDE TRIM TO GROUND)
1x3 FLAT WITH 1/4" PLY
PLYWOOD RETURN AT WINDOW JAMBS (SEE DETAIL AT LEFT FOR FASTENING POINTS)
NOTE: NO FASTENING REQUIRED BETWEEN WINDOWS.
NOTE. ALL FOAM SILL/WALL COMPONENTS WILL BE COATED IN "DUREX" AND PAINTED WITH EXTERIOR ACRYLIC PAINT.
EXISTING BRICK PROJECTION — NO FASTENING
4x4 SILL ON STEEL SPIKES (CABLE/UNDERGROUND CLEARANCE REQUIRED)
PLATE + STEEL SPIKE

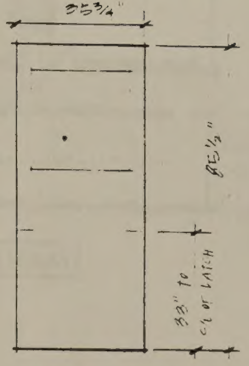
SANDSTONE WALL SECTION
NOT TO SCALE


[illegible]"
7'6"
31 1/4" TO CENTRE OF LATCH

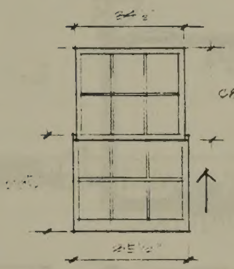
D1 FRONT ENTRY


35 3/4"
86 1/2"
32 1/3" TO C/L OF LATCH

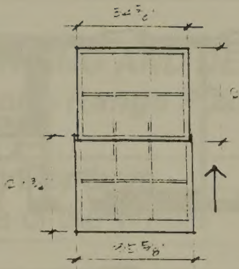
D4 PROF MIDDLETON'S OFFICE


35 3/4"
86 1/2"
33" TO C/L OF LATCH

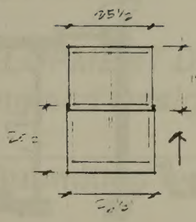
D5 DURST'S OFFICE


34 1/2"
28 5/8
25 1/2"

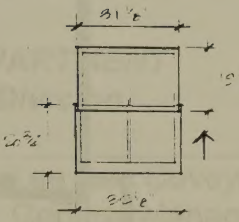
W1 SINGLE-HUNG
2ND FLR


34 7/8"
28 3/4
25 5/8"

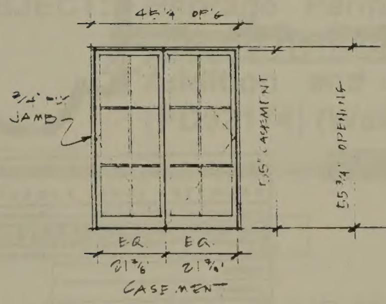
W2 SINGLE-HUNG
2ND FLR


25 1/2
19 1/2
26 1/2

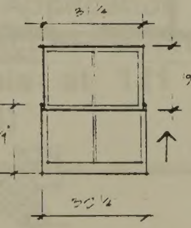
W3 SINGLE-HUNG
2ND FLR


31 1/8"
19 3/4
20 3/4"
32 1/8"

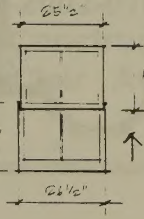
W4 SINGLE-HUNG
2ND FLR


45 1/4 OP'G
3/4" PLY JAMB
55" CASEMENT
55 3/4 OPENING
EQ
EQ
21 7/8"
21 7/8"

CASEMENT
W 5 2ND FLR


31 1/4
19 3/4
20 3/4
32 1/4

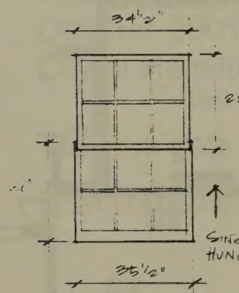
SINGLE-HUNG
W6 2ND FLR


25 1/2
19 1/2"
20 1/2"
26 1/2"

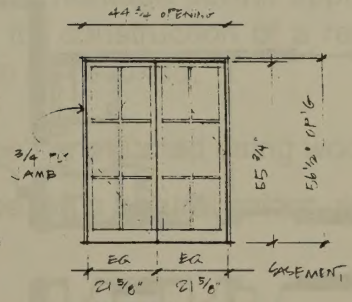
SINGLE-HUNG
W 7 2ND FLR

NOTE: RAIL WIDTHS DRAWN AS 1 3/4" AND 2 1/2" – PLEASE CONFIRM ACTUAL DIMENSIONS OF STOCK.

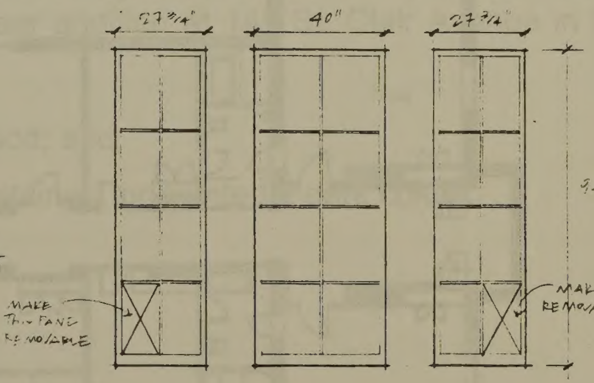
BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS
Exec. Producer: BRUCE KALISH
Producer: KEVIN W
Prod. Designer: THOMAS CARNEGIE
Drawn by: TULISKO
Set: EXT. BHH
DWG NO.
Drawing: WINDOW SCHEDULE
Location: AUCHMAR ESTATE
Date: JULY 20/02
Scale: 1/2" = 1'-0"


34 1/2"
22"
SINGLE HUNG
35 1/2"

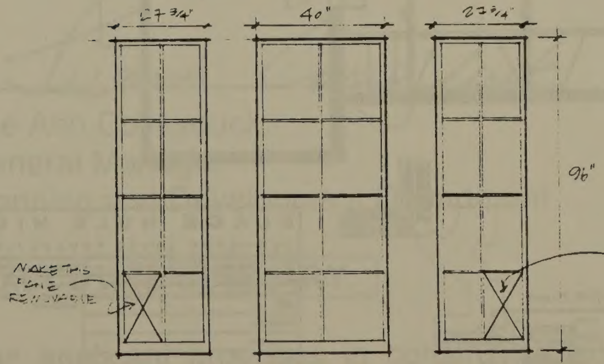
W8 2ND FLR


44 3/4 OPENING
3/4" PLY JAMB
55 3/4"
56 1/2" OP'G
EQ
EQ
21 3/8"
21 3/8"
CASEMENT

W9 2ND FLOOR

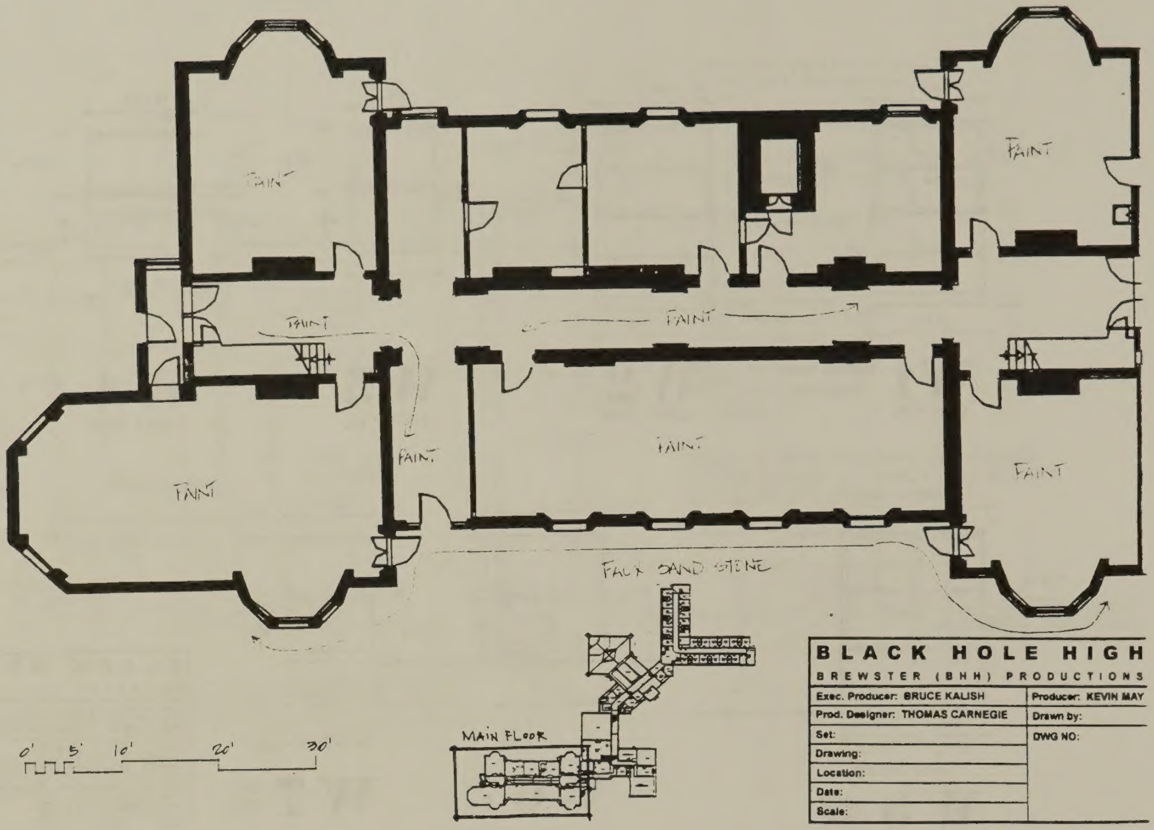

27 3/4"
40"
27 3/4"
97"
MAKE THIS PANE REMOVABLE
MAKE REMOVABLE

BAY WINDOWS W10 + W12
(BOTH MAIN FLOOR)

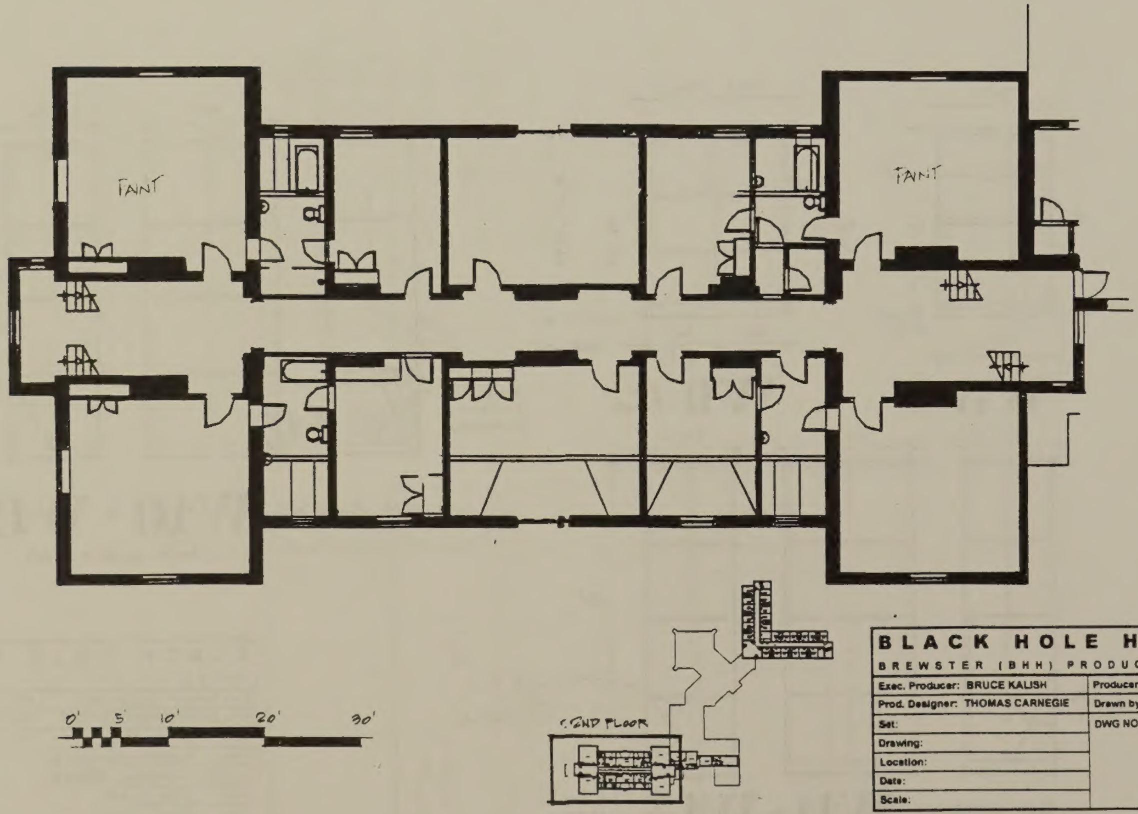

27 3/4"
40"
27 3/4"
96"
MAKE THIS PANE REMOVABLE
MAKE THIS PANE REMOVABLE

BAY WINDOWS W11 + W13 (BOTH MAIN FLOOR)

BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS
Exec. Producer: BRUCE KALISH
Producer: K
Prod. Designer: THOMAS CARNEGIE
Drawn by: TULISKO
Set: EXT. BHH
Drawing: WINDOW SCHEDULE
Location: AUCHMAR ESTATE
Date: JULY 20/02
Scale: 1/2" = 1'-0"


PAINT
PAINT
PAINT
PAINT
PAINT
PAINT
PAINT
PAINT
PAINT
FAUX SAND STONE
MAIN FLOOR
0'
5'
10'
20'
30'

BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS
Exec. Producer: BRUCE KALISH
Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE
Drawn by:
Set:
DWG NO:
Drawing:
Location:
Date:
Scale:


PAINT
PAINT
2ND FLOOR
0'
5'
10'
20'
30'

BLACK HOLE HIGH
BREWSTER (BHH) PRODUCTIONS
Exec. Producer: BRUCE KALISH
Producer: KEVIN MAY
Prod. Designer: THOMAS CARNEGIE
Drawn by:
Set:
DWG NO:
Drawing:
Location:
Date:
Scale:

AFFECTS WARD 3

CITY OF HAMILTON

4.3

PLANNING AND DEVELOPMENT DEPARTMENT

Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002 HP-2002-019	**Prepared by:**	Stephanie Barber (905) 643-1262 Ext. 204

SUBJECT: Heritage Permit Application (HP-2002-019) under Part V of the Ontario Heritage Act to Permit the Construction of a Rear One Storey Addition and Gate at 141 St. Clair Avenue, City of Hamilton (PD02174) (Ward 3)

RECOMMENDATION:

That Heritage Permit (HP-2002-019) be approved for the construction of a rear two storey addition according to the drawings accompanying the permit application subject to the following conditions:

a) That the previous heritage permit approved by Council of the City of Hamilton in October 2001, for construction of a rear addition at 141 St. Clair Avenue in the City of Hamilton be revoked;

b) That the gate be constructed using wood; and,

c) That the gate be left a natural colour, stained, or painted a dark colour.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The applicant proposes to construct a one storey addition to the rear of the subject property as well as a gate at the north side. The application satisfies the intent of the St. Clair Heritage Conservation District guidelines.

BACKGROUND:

141 St. Clair Avenue is located within the St. Clair Heritage Conservation District, see Appendix A to Report PD020174 attached. The St. Clair Heritage Conservation District was designated in 1986 under Part V of the Ontario Heritage Act. The one storey rear addition and arboured gate will be visible from the street. The applicants also propose to construct an arboured fence and pergola along the north property line. It will not be visible from the street and is not included within this Heritage Permit application. The Heritage Permit Review Subcommittee (HPRS) of LACAC has reviewed this application and has no objections to the proposed addition and gate.

ANALYSIS OF ALTERNATIVES:

The applicant proposes to construct a small one storey addition to the rear of the existing house as well as an arboured gate at the north side of the house. The currently attached rear structure will be removed and replaced by the new addition. The new structure will sit on the existing foundation. This L-shaped addition features a cross-hipped roof and will be finished with stucco. It will have five (5) single sash windows, three (3)10-pane single sash windows and a door with a 10-pane light.

LOCAL ARCHITECTURAL CONSERVATION ADVISORY COMMITTEE

Pursuant to subsection 33(4) of the Ontario Heritage Act Council is required to consult with LACAC respecting a heritage permit application. At its meeting of August 22, 2002 the City of Hamilton LACAC considered this application together with the staff report and endorsed the staff recommendation. LACAC, therefore, recommended to Council that Heritage Permit HP-2002-019 be approved with the following conditions: that the previous heritage permit approved by Council of the City of Hamilton in October 2001, for construction of a rear addition at 141 St. Clair Avenue in the City of Hamilton be revoked; that the gate be constructed using wood; and, that the gate be left a natural colour, stained, or painted a dark colour.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – 141 St. Clair Avenue is located within the St. Clair Boulevard Heritage Conservation District, designated under Part V of the Ontario Heritage Act.

POLICIES AFFECTING PROPOSAL:

The St. Clair Heritage Conservation District Plan contains guidelines for additions. The guidelines encourage additions that are contemporary in design, yet compatible with the existing structure in terms of size and scale. Also applicable to the addition and gate is a policy that maintains that building development visible from the street will be controlled. The guidelines also encourage additions to be located at the rear of structures. The Official Plan policies of the former City of Hamilton support the conservation, protection and management of cultural heritage features. Approval of this heritage permit would not conflict with these policies and guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

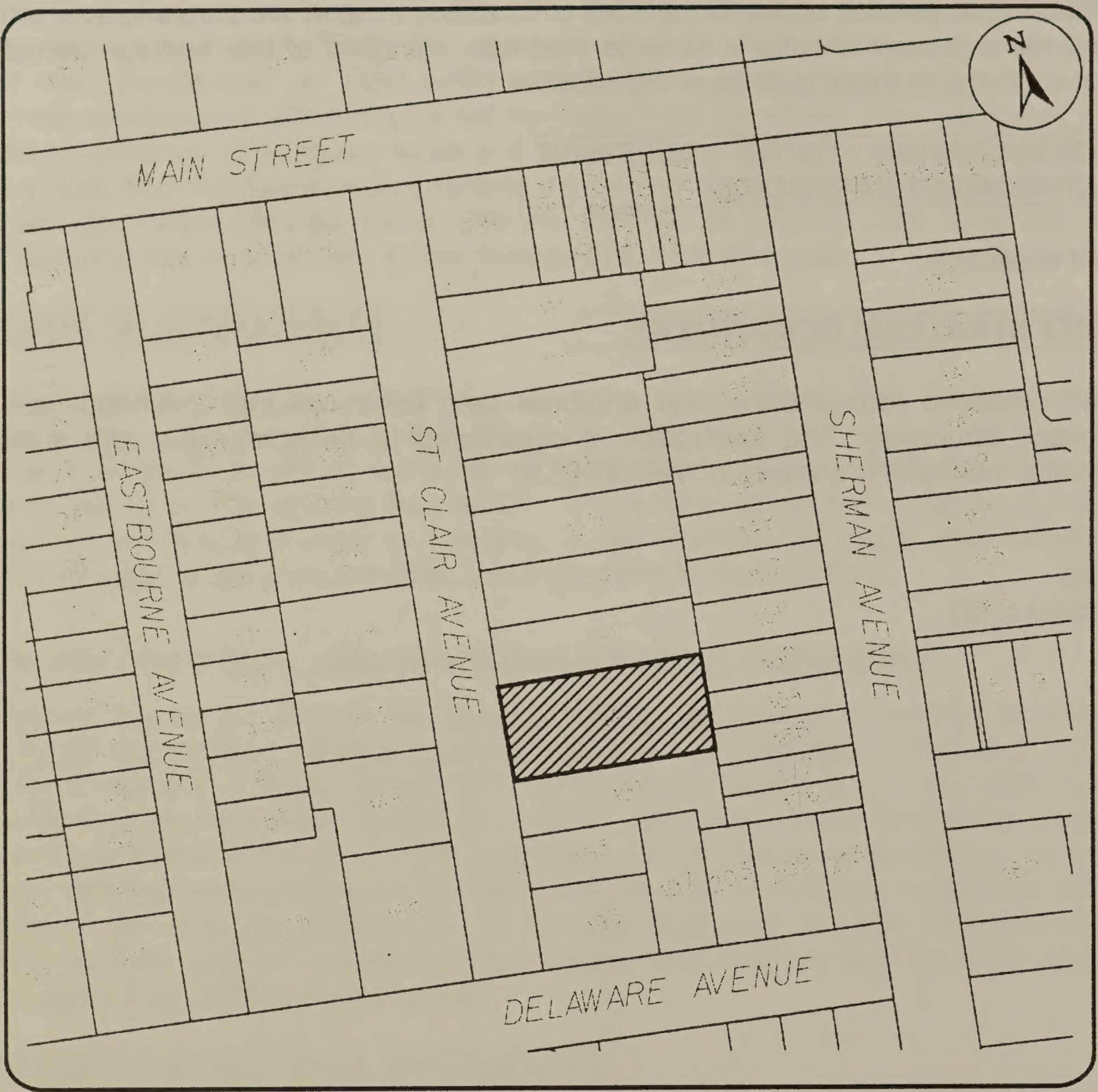
Not applicable.

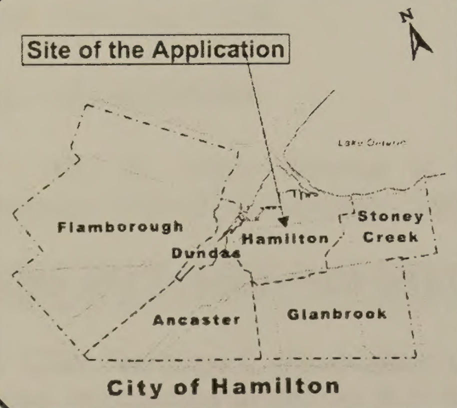
CITY STRATEGIC COMMITMENT:

The proposed rear addition and arboured gate enhances the continued use of the existing structure. The application is considered to be compatible with sustainable development and the values of VISION 2020.

:SB
Attachs. (3)

Appendix A to Report PD02174
C.O.W.
September 17, 2002


N
MAIN STREET
EASTBOURNE AVENUE
ST CLAIR AVENUE
SHERMAN AVENUE
DELAWARE AVENUE


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
141 St. Clair Avenue

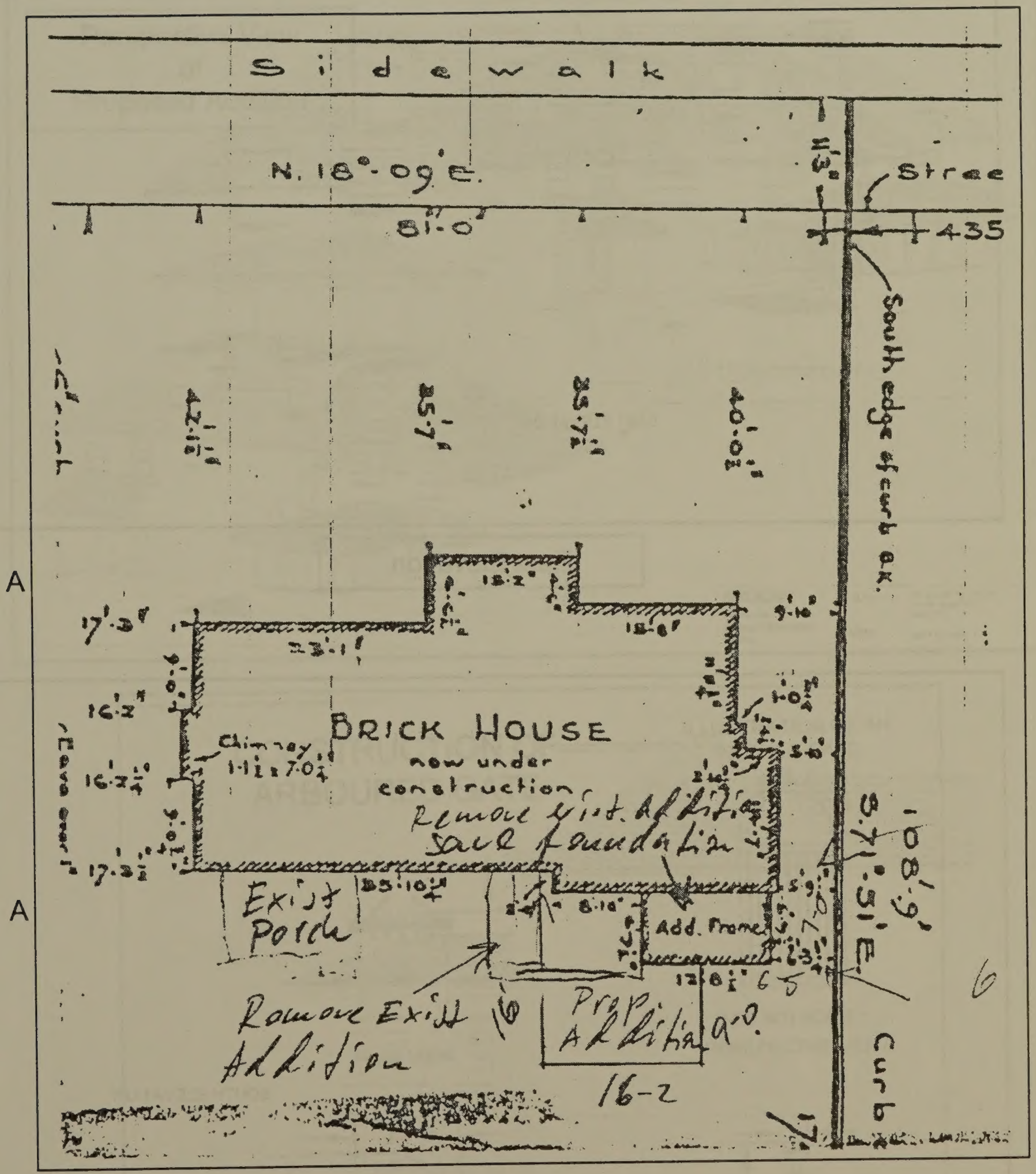
Filename/number
141 St. Clair Ave

Date
July 22, 2002

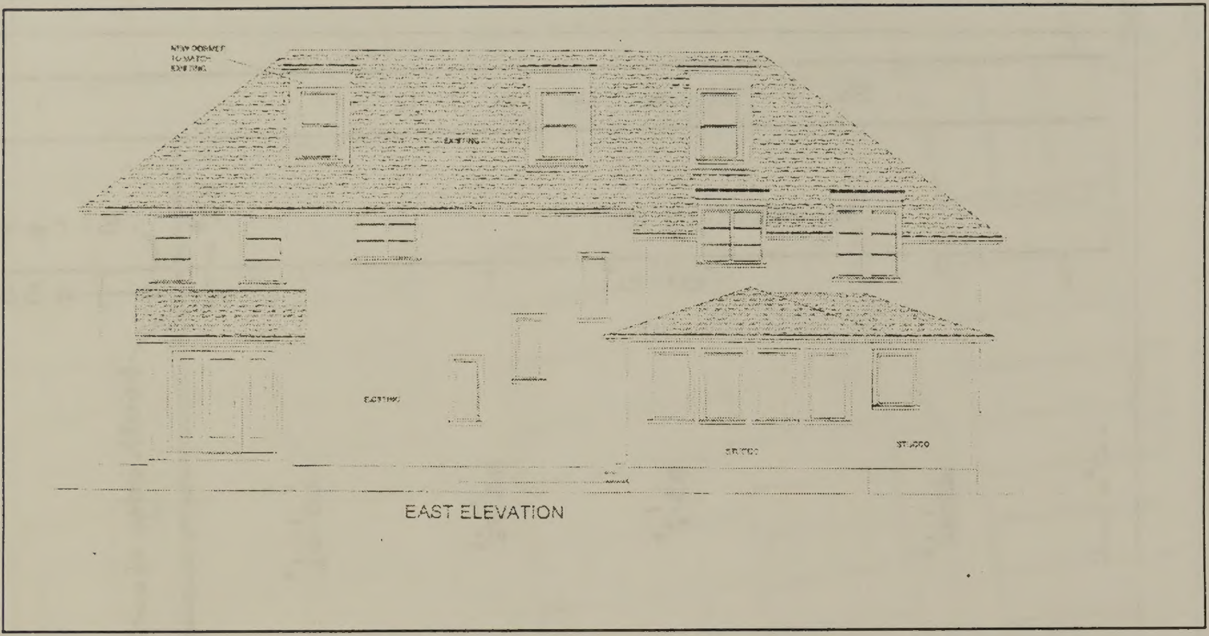
Technician:
MC

Map Not to Scale

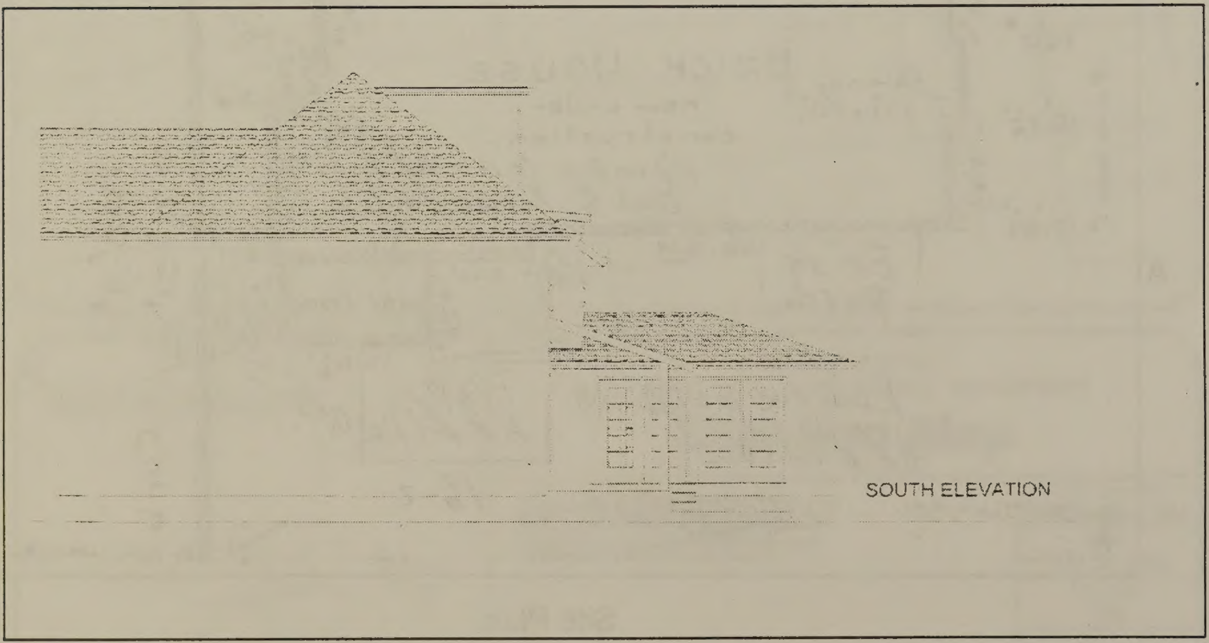
Appendix "A"


Sidewalk
N. 18°-09' E.
81'-0"
11'3"
Stree
4.35
South edge of curb a.k.
42.1 1/8"
35.7"
35.7 1/2"
40.0 1/2"
A
A
17'.3"
16'.2"
16'.2 1/4"
17.3 1/2"
9.0"
9.0"
23.1 1/2"
13.2"
13.6"
9.10"
1.0 1/4"
3.0"
BRICK HOUSE
now under
construction
Chimney 1.1 1/2 x 7.0 1/4"
Remove Exist. Addition
Save foundation
35.10 1/4"
8.10"
Exist Porch
Add. Frame
Remove Exist Addition
Prop. Addition
9.0
16-2
16
12.8 1/2"
6.5
108'.9"
S.71°.51'E.
Curb
6

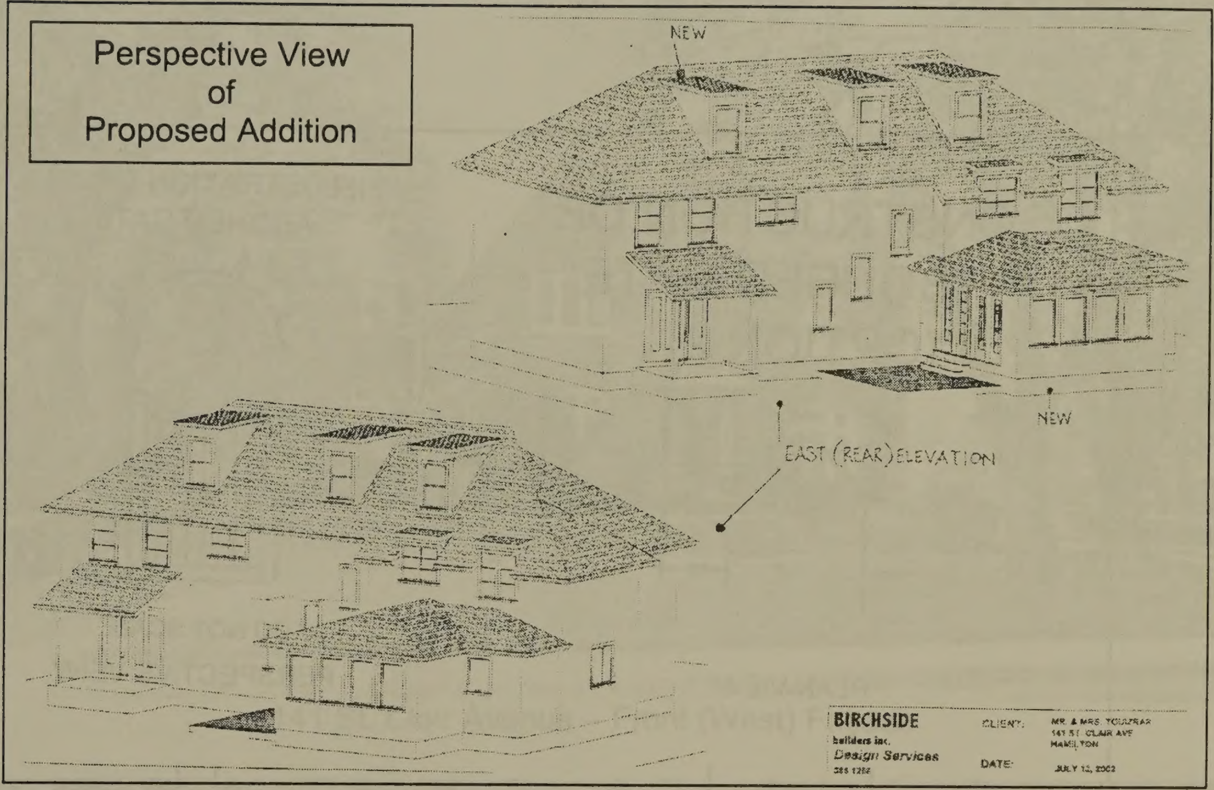
Site Plan


NEW DORMER TO MATCH EXISTING
EXISTING
EXISTING
STUCCO
STUCCO
EAST ELEVATION

East Elevation

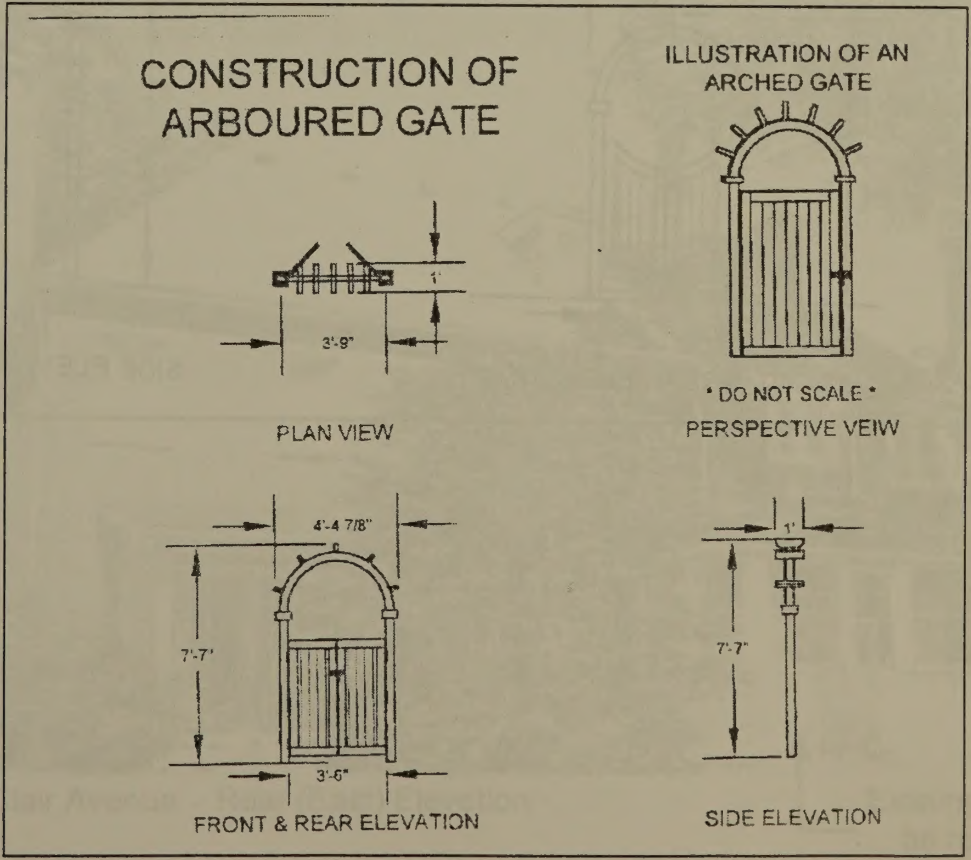

SOUTH ELEVATION

South Elevation



Perspective View of Proposed Addition

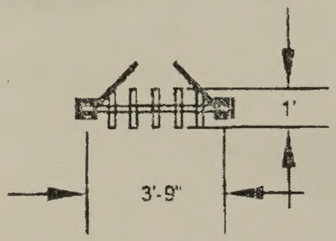
NEW
EAST (REAR) ELEVATION
NEW
BIRCHSIDE
builders inc.
Design Services
385 1262
CLIENT:
MR. & MRS. TOUZRAR
141 ST. CLAIR AVE
HAMILTON
DATE:
JULY 12, 2002



CONSTRUCTION OF ARBOURED GATE

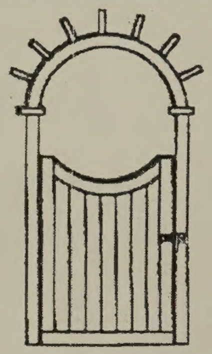
ILLUSTRATION OF AN ARCHED GATE
1'
3'-9"
PLAN VIEW
* DO NOT SCALE *
PERSPECTIVE VEIW
4'-4 7/8"
7'-7'
3'-6"
FRONT & REAR ELEVATION
1'
7'-7"
SIDE ELEVATION

CONSTRUCTION OF ARBOURED GATE (OPTION 2)



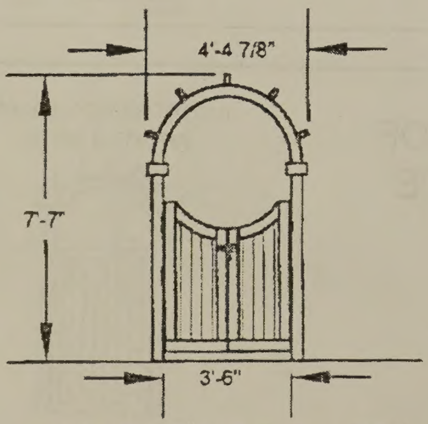
PLAN VIEW

ILLUSTRATION OF AN ARCHED GATE

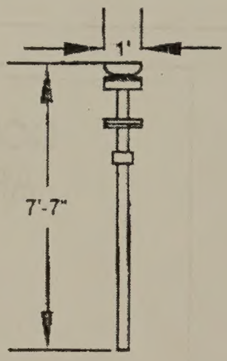


* DO NOT SCALE *

PERSPECTIVE VEIW

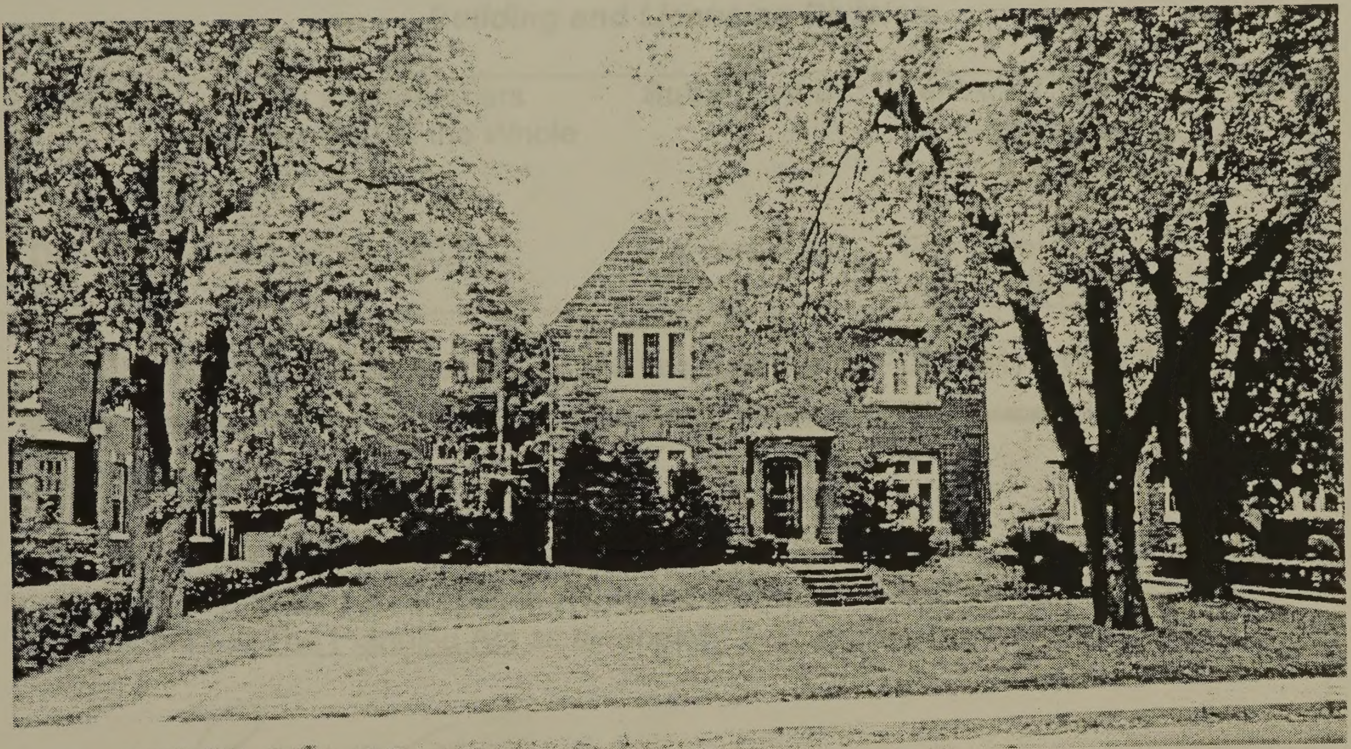


FRONT & REAR ELEVATION

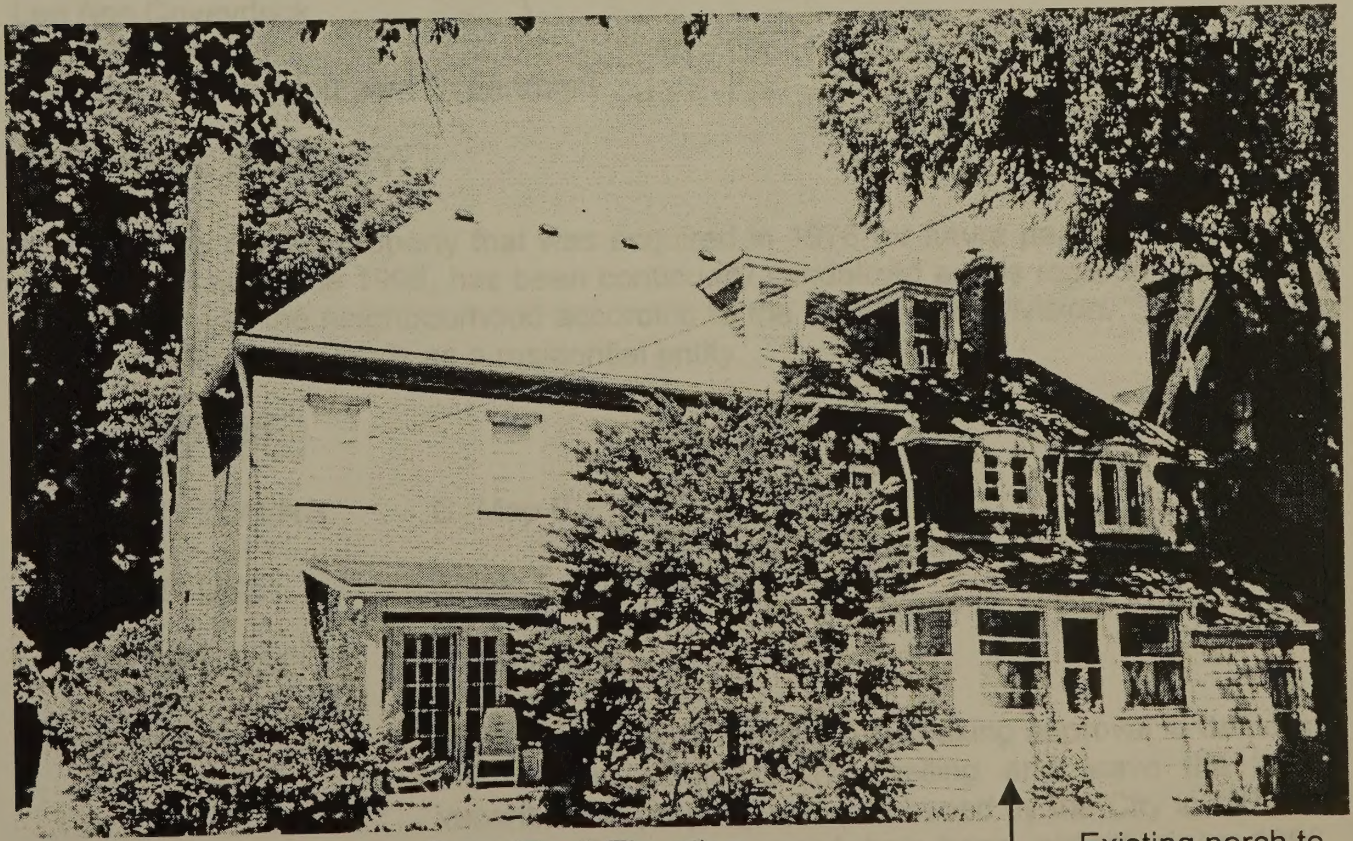


SIDE ELEVATION

Appendix C to Report PD02174
C.O.W.
September 17, 2002



141 St. Clair Avenue – Front (West) Façade



141 St. Clair Avenue – Rear (East) Elevation

Existing porch to be removed

AFFECTS
WARD 4

4.4

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 1150 Leaside Road (PD02191) (Ward 4)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 130 Stapleton Avenue in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This is a City owned property that was acquired in 1976 for future park purposes. The dwelling, vacant since 1996, has been continually vandalized and is regarded as unsafe and a hazard to the neighbourhood according to the Real Estate Division. The City has no plans to lease the lands as a residential entity.

BACKGROUND:

PRESENT ZONING:	C (Map E-81)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Vacant Land
BRIEF DESCRIPTION:	The owner (City of Hamilton) is seeking approval to demolish the existing single family dwelling and leave the lands vacant. This property was purchased by the City in 1976 for future park purposes and has been vacant since 1996.

There are no plans to lease or sell the property for residential use. These lands are in the Parkview West neighbourhood and are located in Ward 4. Please see attached location map shown as Attachment A to Report PD02191.

No LACAC interest. Lot size 10.77m x 70.71m

The owner of the property, as per the demolition request, is:

City of Hamilton
c/o Scott Beveridge
Real Estate Division
Corporate Buildings and Real Estate
Community Services Department

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

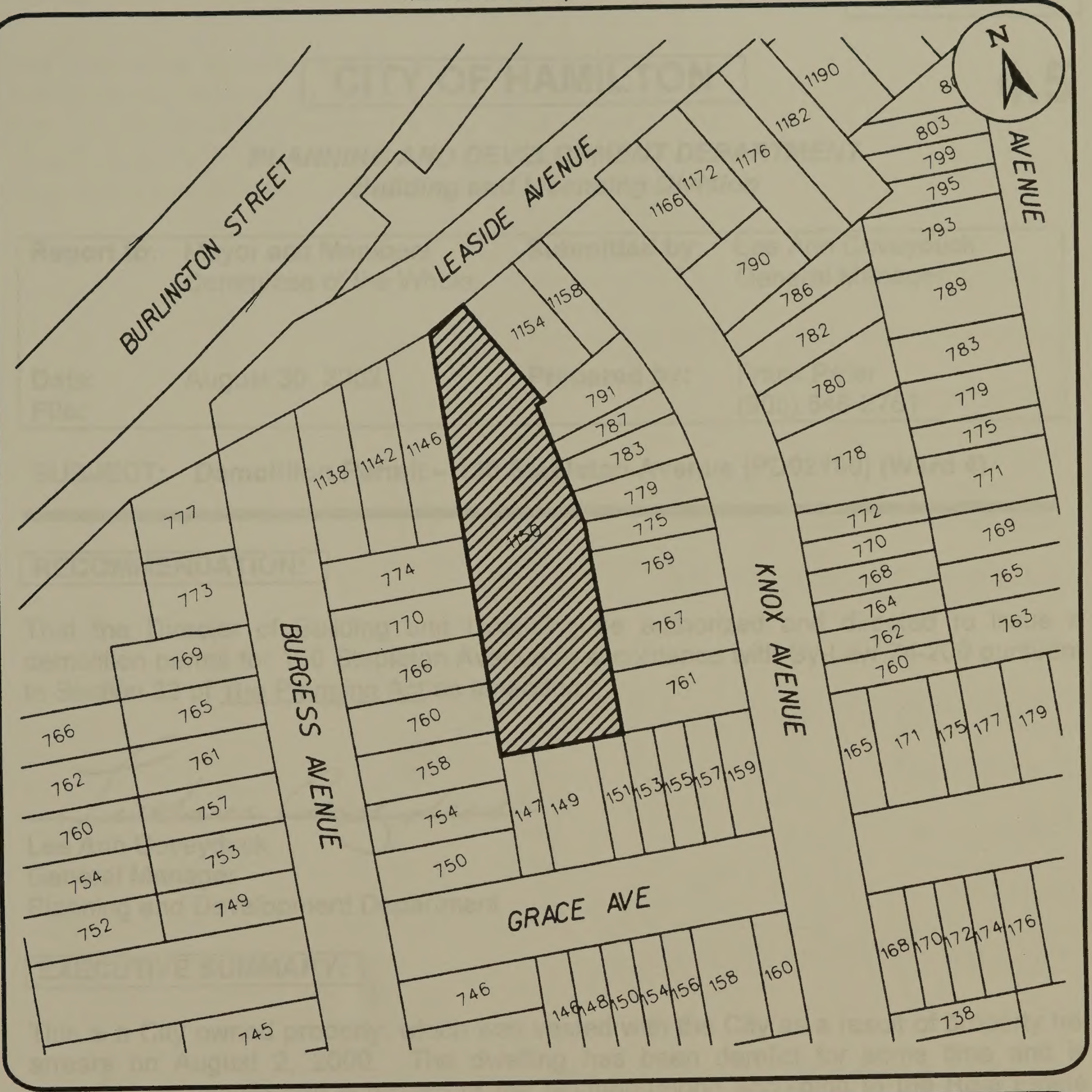
N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report Pd02191


N
BURLINGTON STREET
LEASIDE AVENUE
BURGESS AVENUE
KNOX AVENUE
GRACE AVE
AVENUE
1150
1154
1158
1166
1172
1176
1182
1190
1138
1142
1146
803
799
795
793
789
783
779
775
771
769
765
763
790
786
782
780
778
772
770
768
764
762
760
791
787
783
779
775
769
767
761
777
773
769
765
761
757
753
749
745
766
762
760
754
752
774
770
766
760
758
754
750
746
147
149
151
153
155
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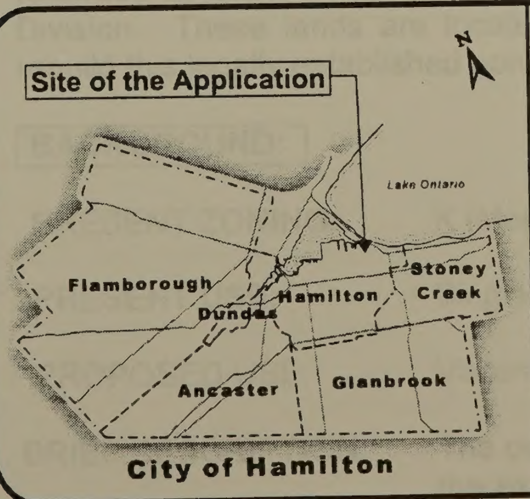
168
170
172
174
176
738


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
1150 Leaside Road

Filename/number
1150 Leaside Rd

Date
August 27, 2002

Technician:
MC

Map Not to Scale

Attachment A to Report Pd02191

AFFECTS WARD 4

CITY OF HAMILTON

4.5

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 130 Stapleton Avenue (PD02190) (Ward 4)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 130 Stapleton Avenue in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This is a City owned property, which was vested with the City as a result of property tax arrears on August 2, 2000. The dwelling has been derelict for some time and is regarded as unsafe and a hazard to the neighbourhood according to the Real Estate Division. These lands are located in an industrial district and there are no plans to rebuild this legally established non-conforming single family dwelling.

BACKGROUND:

PRESENT ZONING:	K (Map E-52)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Vacant
BRIEF DESCRIPTION:	The owner (City of Hamilton) is seeking approval to demolish the existing legally established non-conforming single family dwelling and leave the lands vacant. This property was

vested with the City as a result of property tax arrears and there are no plans to lease or sell the property for residential use. These lands are in the Industrial Sector "E" and McAnulty neighbourhood and are located in Ward 4. Please see attached location map shown as Attachment A to Report PD02190.

No LACAC interest. Lot size 9.91m x 30.48m

The owner of the property, as per the demolition request, is:

City of Hamilton
c/o Scott Beveridge
Real Estate Division
Corporate Buildings and Real Estate
Community Services Department

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

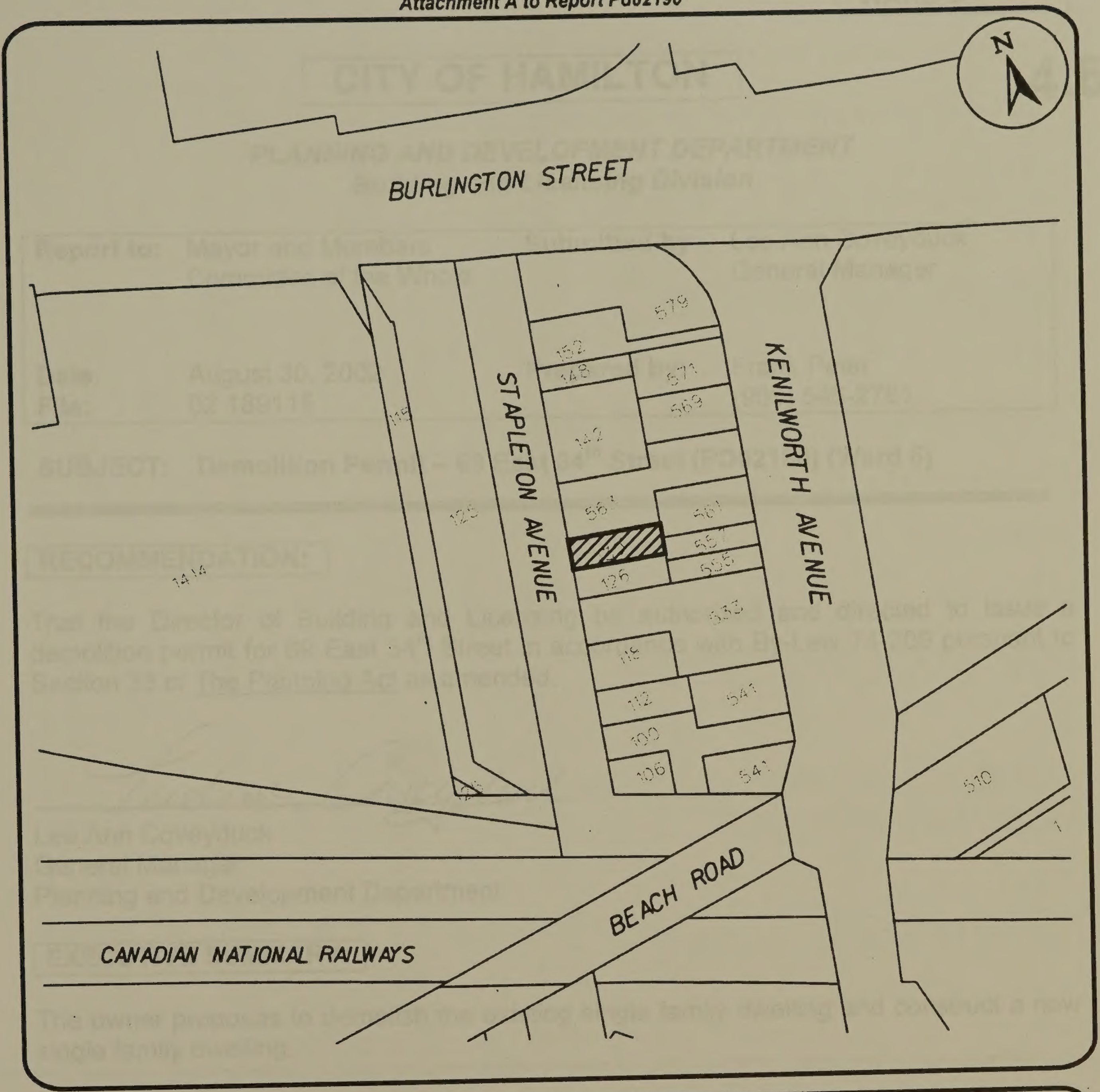
N/A

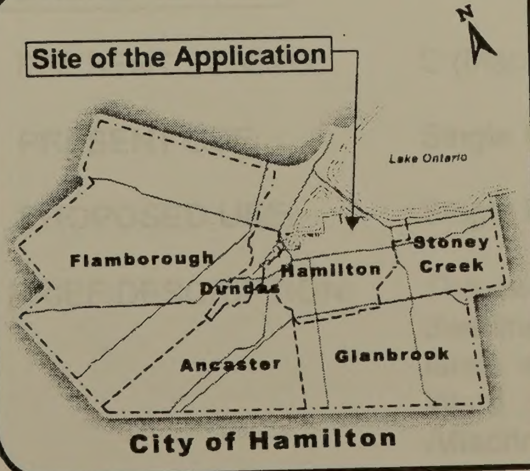
CITY STRATEGIC COMMITMENT:

The removal of the legally established non-conforming single family dwelling will bring the lot into compliance with the Zoning By-Law. The City has no plans on redeveloping these lands at this point in time. This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report Pd02190


N
BURLINGTON STREET
STAPLETON AVENUE
KENILWORTH AVENUE
579
152
148
571
569
142
115
561
561
557
555
126
126
1414
533
118
112
541
100
106
541
510
1
BEACH ROAD
CANADIAN NATIONAL RAILWAYS


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
130 Stapleton Avenue

Filename/number
130 Stapleton Ave

Date
August 27, 2002

Technician:
MC

Map Not to Scale

Attachment A to Report Pd02190

AFFECTS WARD 6

CITY OF HAMILTON

4.6

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002 02 189115	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 69 East 34th Street (PD02180) (Ward 6)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 69 East 34th Street in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

Leeann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner proposes to demolish the existing single family dwelling and construct a new single family dwelling.

BACKGROUND:

PRESENT ZONING:	C (Map E-35)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Single Family Dwelling
BRIEF DESCRIPTION:	The owner is proposing to demolish the existing single family dwelling and construct a new single family dwelling. These lands are in the Raleigh neighbourhood and are located in Ward 6. Please see attached location map shown as Attachment A to Report PD02180.

No LACAC interest. Lot size 10.67m x 30.48m

The owner of the property, as per the demolition request, application is:

Dustan Rorie
69 East 34th Street
Hamilton, ON L8V 3W4

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

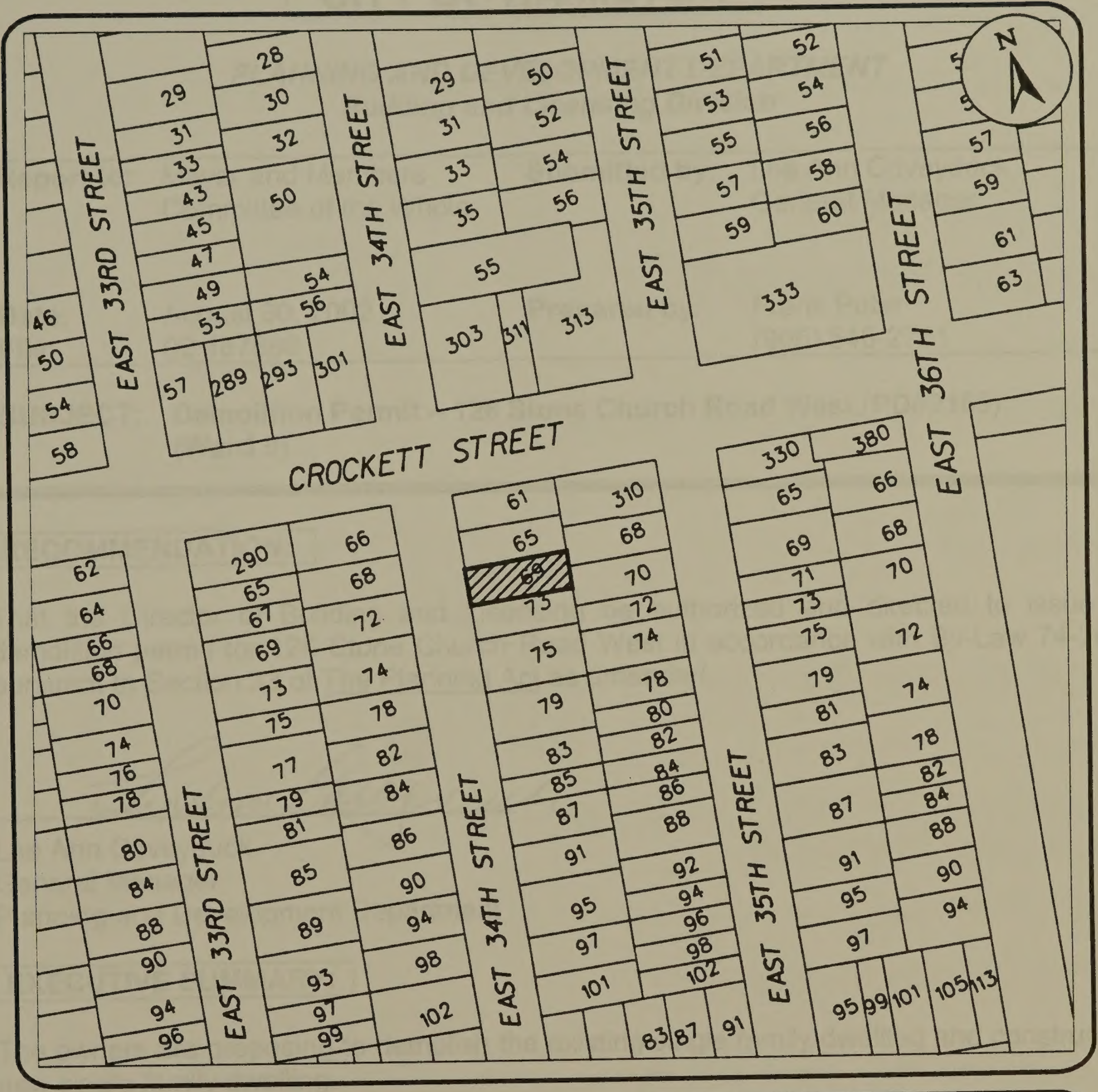
N/A

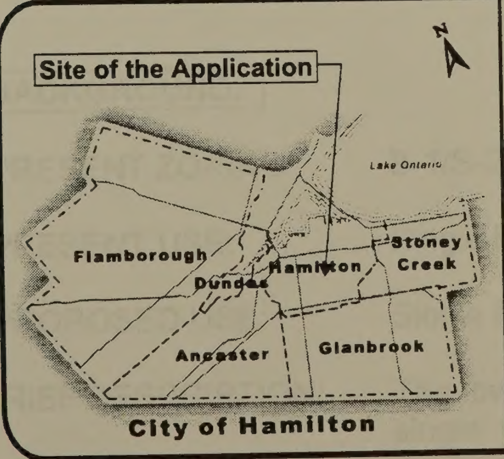
CITY STRATEGIC COMMITMENT:

The replacement of the dwelling is consistent with the goals of Vision 2020, as the redevelopment will minimize environmental, social, and financial costs of new development to the residents of the City of Hamilton. Redevelopment will also curb urban sprawl and suburban encroachment onto rural and agricultural lands.

:FP
Attach. (1)

Attachment A to Report PD02180


N
EAST 33RD STREET
EAST 34TH STREET
EAST 35TH STREET
EAST 36TH STREET
CROCKETT STREET
69


N
Site of the Application
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
69 East 34th Street

Filename/number	*69_east_34th*
Date	*August 15, 2002*
Technician:	*CL*

Map Not to Scale

Appendix "A"

AFFECTS
WARD 8

CITY OF HAMILTON

4.7

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Frank Peter
File:	02 187886		(905) 546-2781

SUBJECT: Demolition Permit – 126 Stone Church Road West (PD02169) (Ward 8)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 126 Stone Church Road West in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owners are proposing to demolish the existing single family dwelling and construct a new single family dwelling.

BACKGROUND:

PRESENT ZONING:	B-1/S-29 (Map W-9C)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Single Family Dwelling
BRIEF DESCRIPTION:	The owner is seeking approval to demolish the existing single family dwelling and construct a new single family dwelling. These lands are in the Gourley neighbourhood and

No LACAC interest. Lot size 29.87m x 73.96m

The owner of the property, as per the demolition permit application, is:

William Tennant
124 Stone Church Road West
Hamilton, ON L9B 2C1

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

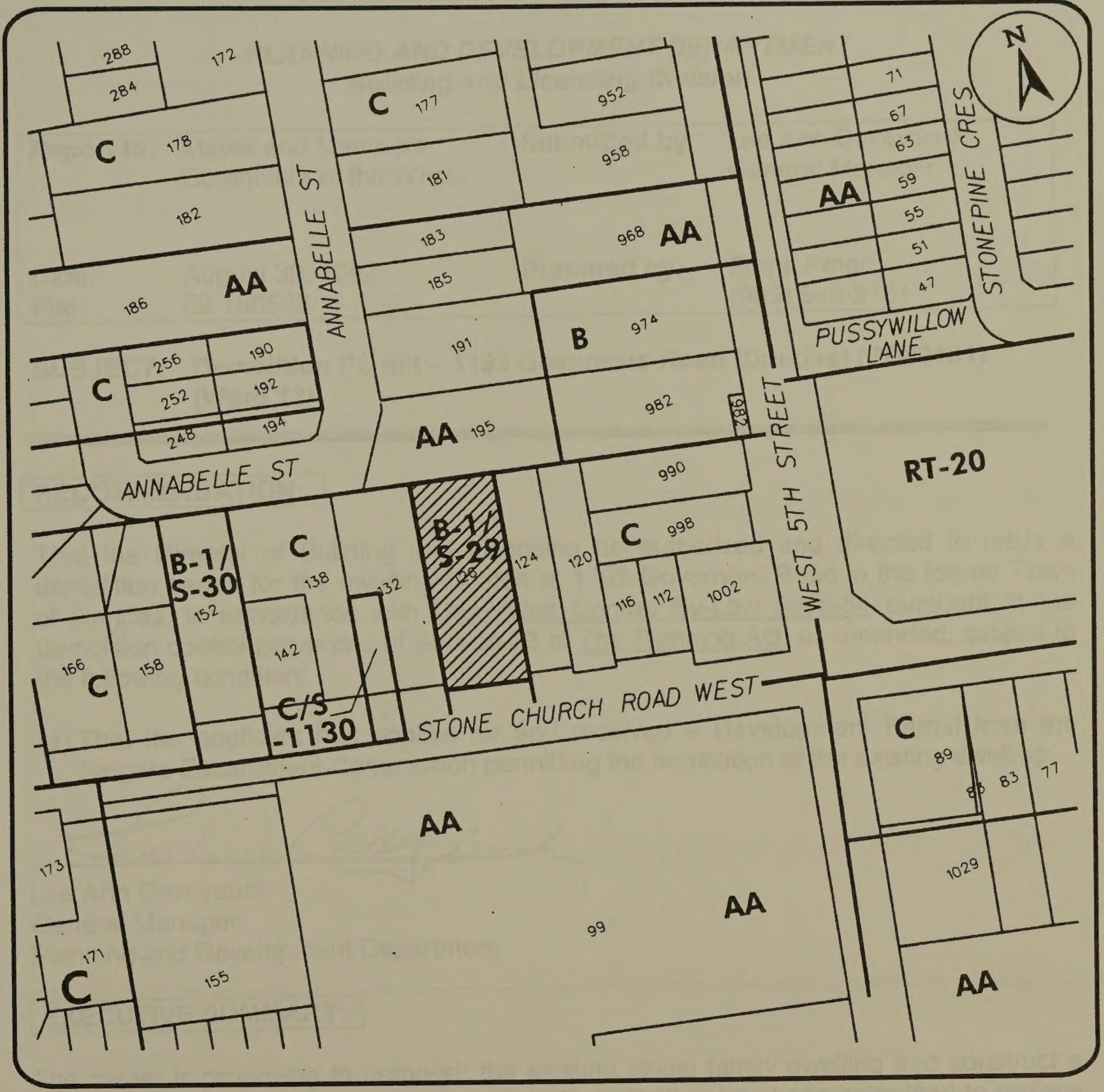
N/A

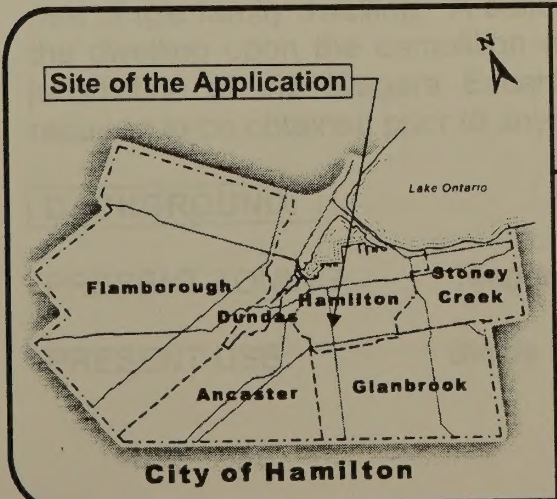
CITY STRATEGIC COMMITMENT:

The replacement of the dwelling is consistent with the goals of Vision 2020, as the redevelopment will minimize environmental, social, and financial costs of new development to the residents of the City of Hamilton. Redevelopment will also curb urban sprawl and suburban encroachment onto rural and agricultural lands.

:FP
Attach. (1)

Attachment A to report PD02169.


N
288
284
172
C
178
182
AA
186
ANNABELLE ST
C
177
181
183
185
191
952
958
968
AA
B
974
982
986
AA
195
71
67
63
59
55
51
47
AA
STONEPINE CRES
PUSSYWILLOW LANE
256
190
252
192
248
194
C
ANNABELLE ST
990
998
C
1002
WEST 5TH STREET
RT-20
B-1/
S-30
152
C
138
132
B-1/
S-29
126
124
120
116
112
166
158
C
142
C/S
-1130
STONE CHURCH ROAD WEST
C
89
85
83
77
AA
173
1029
99
AA
171
C
155
AA


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
126 Stone Church Road West

Filename/number *PD02169*
Date *August 1, 2002*
Technician: *NM*
Map Not to Scale
Appendix "A"

AFFECTS
WARD 13

CITY OF HAMILTON

4.8

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Frank Peter
File:	02 188588		(905) 546-2781

SUBJECT: **Demolition Permit – 1193 Governors Road (Dundas) (PD02181) (Ward 13)**

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for the dwelling located at 1193 Governors Road in the former Town of Dundas, in accordance with Demolition Control By-Law 3499-84 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following condition:

(a) That the applicant has applied for and received a Development Permit from the Niagara Escarpment Commission permitting the demolition of the existing dwelling.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner is proposing to demolish the existing single family dwelling and construct a new single family dwelling. A building permit application has been submitted to replace the dwelling upon the demolition of the existing dwelling. These lands are under the jurisdiction of the Niagara Escarpment Commission and a Development Permit is required to be obtained prior to any demolition or construction on the property.

BACKGROUND:

PRESENT ZONING: Niagara Escarpment Commission (Schedule S)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: The owner is seeking approval to demolish the existing single family dwelling and construct a new single family dwelling. A building permit application has been submitted to replace the dwelling upon the demolition of the house. These lands are in former Town of Dundas in the Dundas West neighbourhood and are located in Ward 13. Please see attached location map shown as Attachment A to Report PD02181.

No LACAC interest. Lot size 76.80m x 202.81m

The owner of the property, as per the demolition request, is:

Michelle Stockwell & Paul Links
1193 Governors Road
Dundas, ON L9H 5E3

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

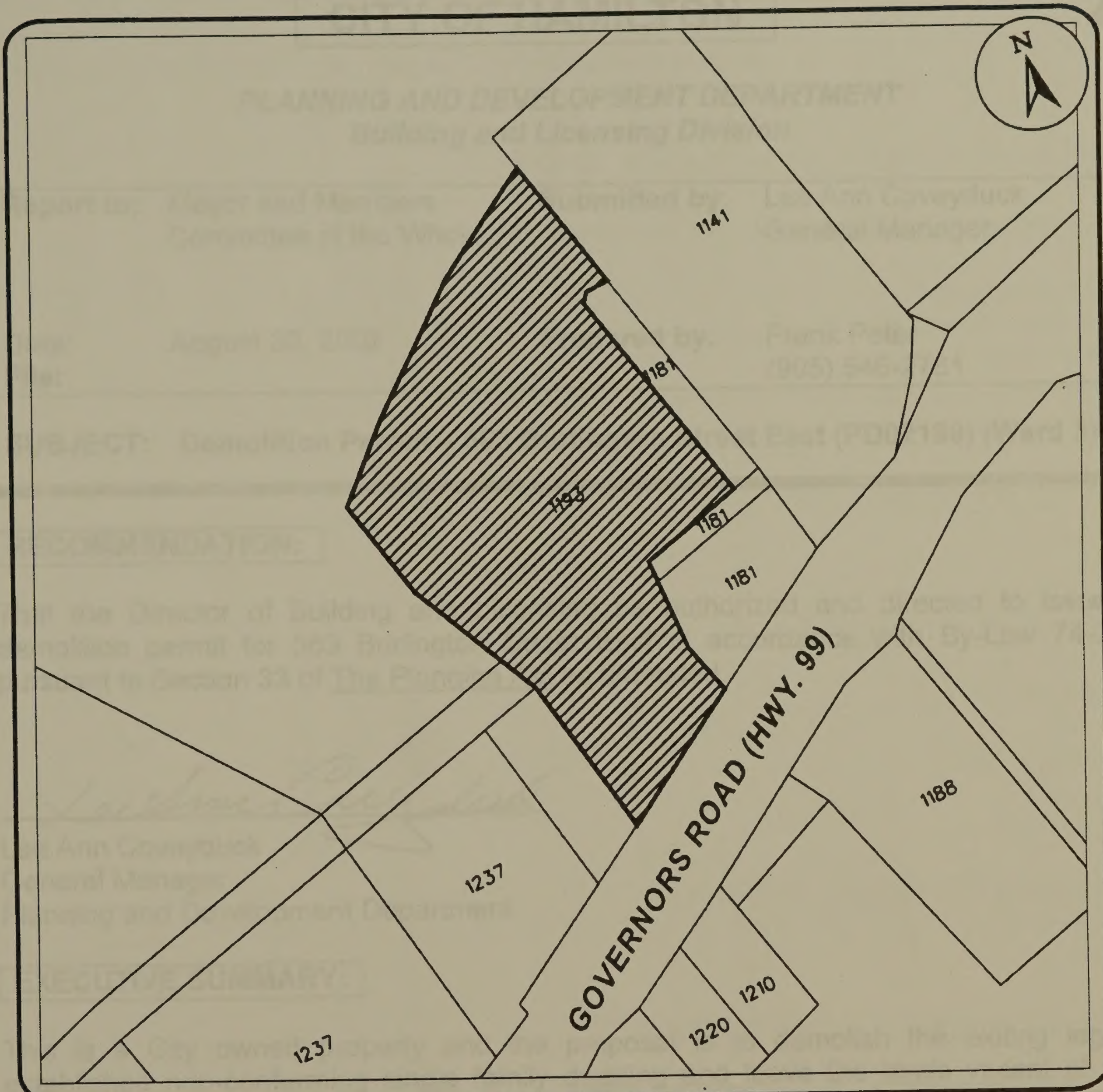
N/A

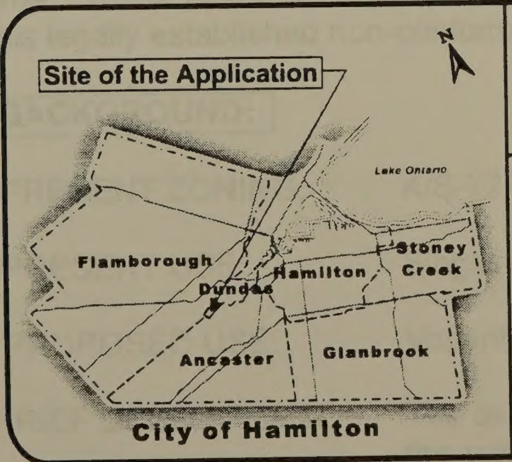
CITY STRATEGIC COMMITMENT:

The replacement of the dwelling is consistent with the goals of Vision 2020 as the redevelopment will minimize environmental, social, and financial costs of new development to the residents of the City of Hamilton. Redevelopment will also curb urban sprawl and suburban encroachment onto rural and agricultural lands.

:FP
Attach. (1)

Attachment A to Report PD02181


N
1141
1181
1193
1181
1181
GOVERNORS ROAD (HWY. 99)
1188
1237
1210
1220
1237


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
1193 Governors Road (Highway 99)

Filename/number	*1193_governors*
Date	*August 15, 2002*
Technician:	*CL*
Map Not to Scale	
Appendix "A"	

AFFECTS WARD 3

CITY OF HAMILTON

4.9

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Frank Peter (905) 546-2781
File:			

SUBJECT: Demolition Permit – 563 Burlington Street East (PD02189) (Ward 3)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 563 Burlington Street East in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This is a City owned property and the proposal is to demolish the exiting legally established non-conforming single family dwelling and leave the lands vacant at this time. These lands are located in an industrial district and there are no plans to rebuild this legally established non-conforming single family dwelling.

BACKGROUND:

PRESENT ZONING:	K/S-727 (Map E-20)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Vacant
BRIEF DESCRIPTION:	The owner (City of Hamilton) is seeking approval to demolish the existing legally established non-conforming single family dwelling and to leave the lands vacant. The City has no plans to lease or sell the property for residential use. These

lands are in the Industrial Sector "B" and Keith neighbourhood and are located in Ward 3. Please see attached location map shown as Attachment A to Report PD02189.

No LACAC interest. Lot size 13.41m x 40.69m

The owner of the property, as per the demolition request, is:

City of Hamilton
C/o Scott Beveridge
Real Estate Division
Corporate Buildings and Real Estate
Community Services Department

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

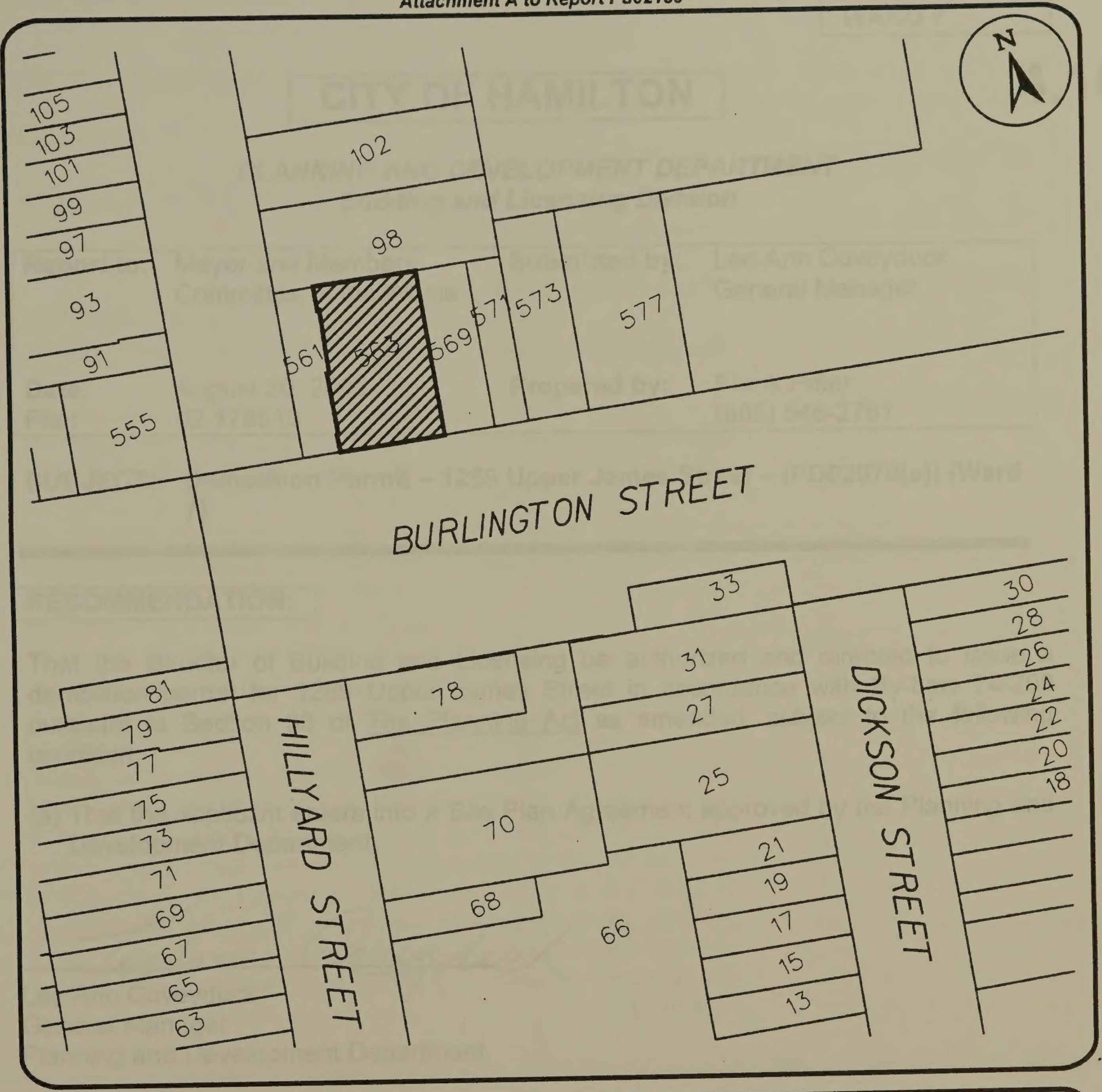
N/A

CITY STRATEGIC COMMITMENT:

The removal of the legally established non-conforming single family dwelling will bring the lot into compliance with the Zoning By-Law. The City has no plans on redeveloping these lands at this point in time. This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report Pd02189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105
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BURLINGTON STREET
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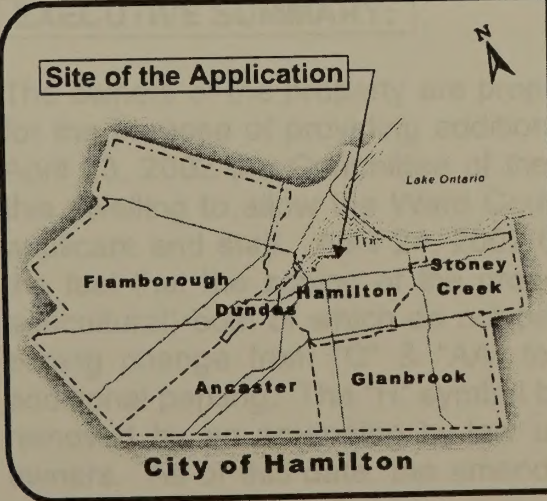
13
HILLYARD STREET
DICKSON STREET


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
563 Burlington Street East

Filename/number
563 Burlington St. E.

Date
August 27, 2002

Technician:
MC

Map Not to Scale

Attachment A to Report Pd02189

AFFECTS
WARD 7

CITY OF HAMILTON

4.10

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Frank Peter
File:	02 178513		(905) 546-2781

SUBJECT: Demolition Permit – 1269 Upper James Street – (PD02070(a)) (Ward 7)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 1269 Upper James Street in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended, subject to the following condition:

(a) That the applicant enters into a Site Plan Agreement approved by the Planning and Development Department.

Leeann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owners of the property are proposing to demolish the existing single family dwelling for the purpose of providing additional parking for the adjacent Denninger's retail store. April 23, 2002 the Committee of the Whole tabled a previous request for demolition of this dwelling to allow the Ward Councillor the opportunity to review the matter with the applicant and staff. April 24, 2002 Council denied the demolition permit request due to the fact that the zoning of the property at that time was "C" and "AA" (residential and agricultural) both of which do not permit parking. August 14, 2002 Council approved a zoning change from "C" & "AA" to an "H-HH Modified, which permits the proposed additional parking. The "H" symbol before the "HH" is a holding provision, which shall be removed by an amending by-law upon a site plan application being obtained by the owners. As of this date, the amending by-law is not final and binding and the required

Site Plan application has not been submitted. Development cannot begin until the required site plan application has been approved.

BACKGROUND:

PRESENT ZONING:	H/S- Not Final (Map E-9C)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Additional Parking for Denningers
BRIEF DESCRIPTION:	The owners of the property are proposing to demolish the existing single family dwelling and merge the lands with the adjacent property for the purpose of providing additional parking for the Denninger's retail store. April 23, 2002 the Committee of the Whole tabled a previous request for demolition of this dwelling to allow the Ward Counsillor the opportunity to review the matter with the applicant and staff. April 24, 2002 Council denied the demolition permit request due to the fact that the zoning of the property at that time was "C" and "AA" (residential and agricultural) both of which did not permit parking. August 14, 2002 Council approved a zoning change from "C" & "AA" to an "H-HH" Modified, which permits the proposed additional parking. However, as of this date, the by-law is not final and binding and the required Site Plan application has not been submitted. Upon the site plan application being approved, the amending by-law being finalized and a by-law being approved to remove the Holding, the development can begin. These lands are in the Jerome neighbourhood and are located in Ward 7. Please see attached location map shown as Attachment A to Report PD02070(a).

No LACAC interest. Lot size 15.1m x 96.32m

The owner of the property, as per the demolition permit application is:

R. Denninger Limited
284 King Street East
Hamilton, ON L9G 3L1

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

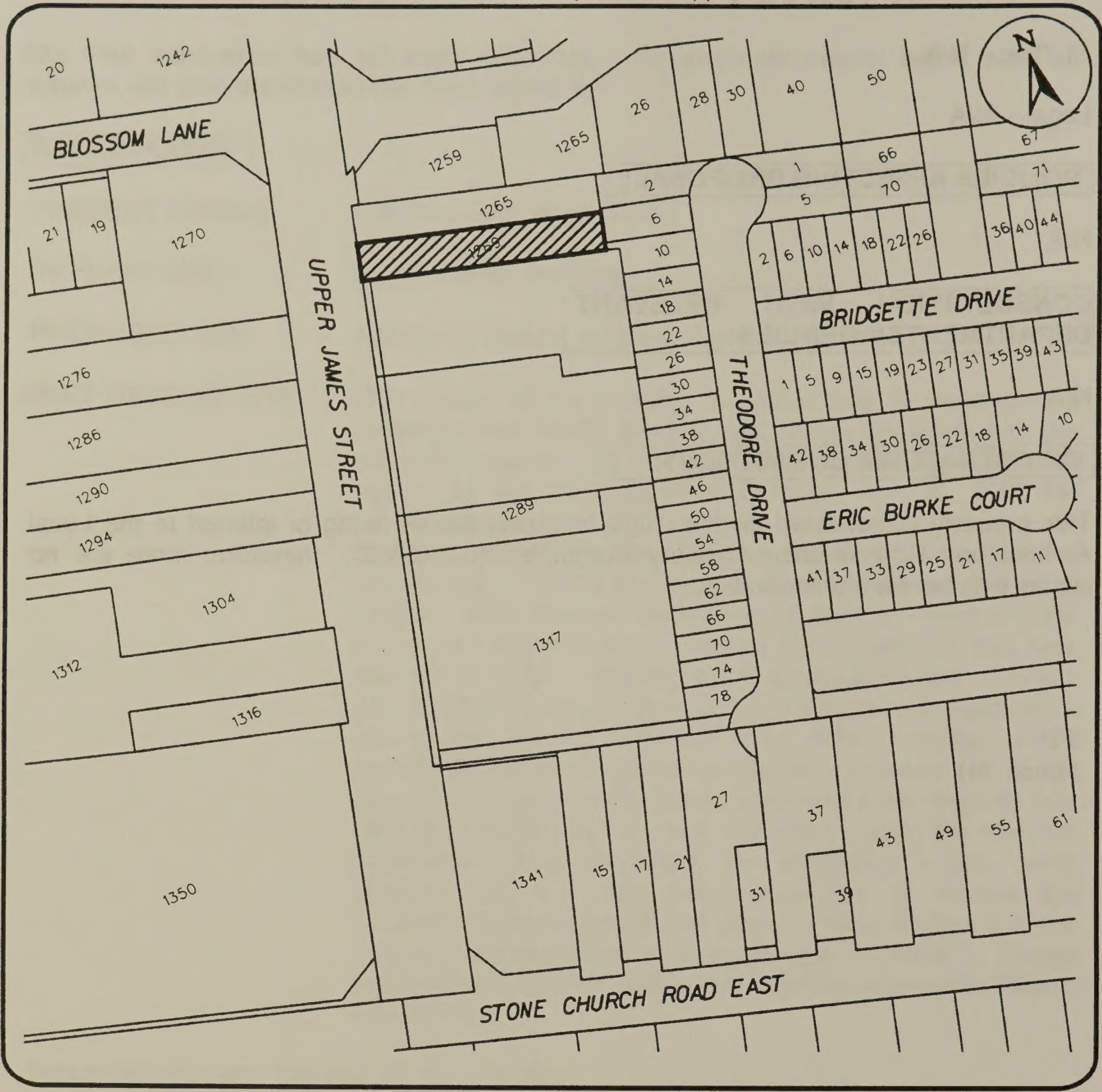
N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report Pd02070(a)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BLOSSOM LANE
UPPER JAMES STREET
THEODORE DRIVE
BRIDGETTE DRIVE
ERIC BURKE COURT
STONE CHURCH ROAD EAST
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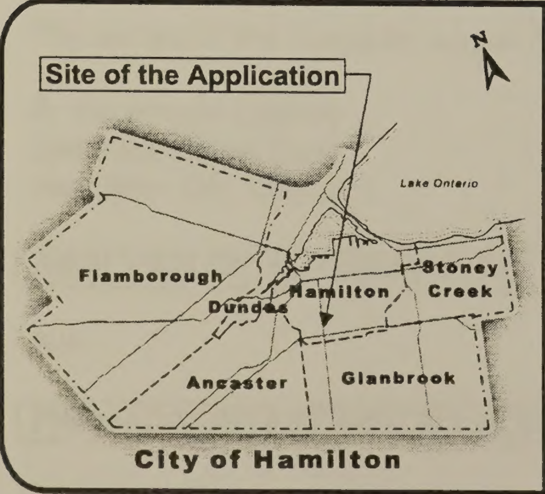

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
1269 Upper James Street

Filename/number	***1269 Upper James St***
Date	***August 27, 2002***
Technician:	***MC***
Map Not to Scale	
Attachment A to Report Pd02070(a)	

AFFECTS
WARD 1

4.11

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002 02 189212	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 169 Bowman Street (PD02192) (Ward 1)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 169 Bowman Street in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner (Hydro One Networks Inc.) is proposing to demolish the existing single family dwelling and leave the lands vacant.

BACKGROUND:

PRESENT ZONING:	C/S-1335, 1335a (Map W-41)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Vacant Land
BRIEF DESCRIPTION:	The owner is proposing to demolish the existing single family dwelling and leave the land vacant. These lands are in the Ainslie Wood East neighbourhood and are located in Ward 1. Please see attached location map shown as Attachment A to Report PD02192.

No LACAC interest. Lot size 11.28m x 37.19m

The owner of the property, as per the demolition request, application is:

Hydro One Networks Inc.
483 Bay Street
Toronto, ON M5G 2P5

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

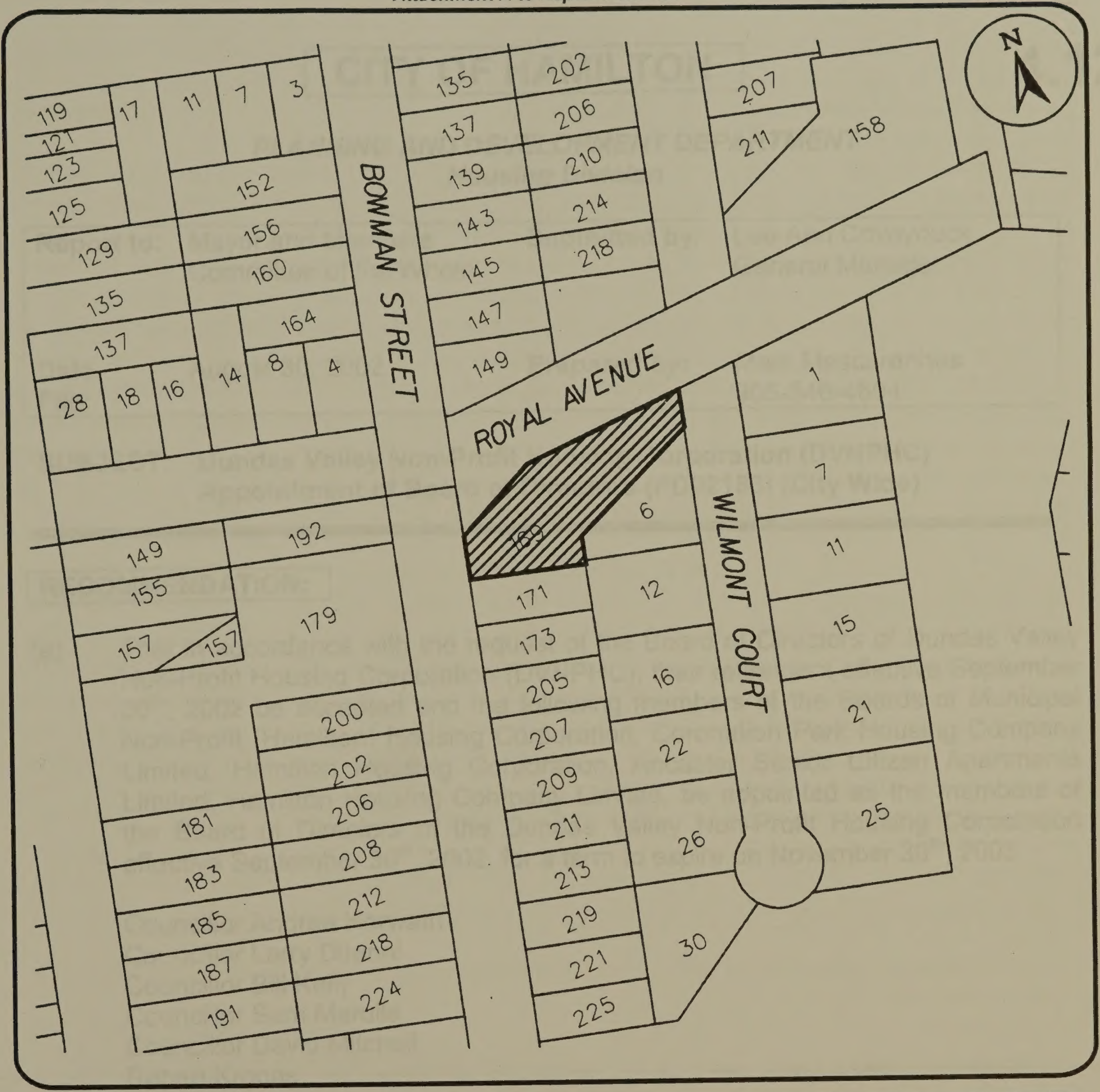
N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report Pd02192


N
BOWMAN STREET
ROYAL AVENUE
WILMONT COURT
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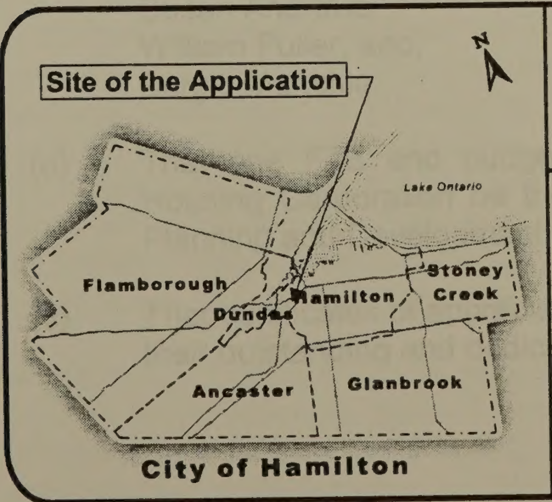
Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
169 Bowman Street

Filename/number	*169 Bowman St*
Date	*August 27, 2002*
Technician:	*MC*
Map Not to Scale	
Attachment A to Report Pd02192	

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.12

PLANNING AND DEVELOPMENT DEPARTMENT
Housing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Mark Mascarenhas 905-546-4604
File:			

SUBJECT: Dundas Valley Non-Profit Housing Corporation (DVNPHC) Appointment of Board of Directors (PD02183) (City Wide)

RECOMMENDATION:

(a) That in accordance with the request of the Board of Directors of Dundas Valley Non-Profit Housing Corporation (DVNPHC), their retirement effective September 30th, 2002 be accepted and the following members of the Boards of Municipal Non-Profit (Hamilton) Housing Corporation, Coronation Park Housing Company Limited, Hamilton Housing Corporation, Ancaster Senior Citizen Apartments Limited, Hamilton Housing Company Limited, be appointed as the members of the Board of Directors of the Dundas Valley Non-Profit Housing Corporation effective September 30th, 2002, for a term to expire on November 30th, 2003

Councillor Andrea Horwath
Councillor Larry Dilanni
Councillor Bill Kelly
Councillor Sam Merulla
Councillor David Mitchell
Robert Kronas
Susan Andrews
William Fuller; and,
Sergio Manchia.

(b) That one FTE and budget related thereto of the Dundas Valley Non-Profit Housing Corporation be transferred to the City of Hamilton, Housing Division, Planning and Development Department, effective October 1, 2002; and,

(c) That certificates of appreciation be awarded to the retiring Board in recognition of their outstanding and dedicated service.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This report recommends the acceptance of the retirement of the current Board of Directors of DVNPHC and transfer of governance and administration of the Corporation to a Board appointed by the Council of the City of Hamilton. This transfer is in keeping with the City of Hamilton's role that was inherited from the former Town of Dundas. The transfer effectively consolidates governance and administration and will achieve long term benefits as outlined in this report. The current Board of DVNPHC is agreeable to this initiative and have confirmed so in a letter dated July 12, 2002, (see Appendix A).

BACKGROUND:

The former Town of Dundas established a Municipal Non-profit Housing Corporation in 1982 and under the Letters Patent and Corporation By-laws was responsible for appointing the Board of the Corporation. The Corporation owns and operates two affordable housing developments; 40 apartment units for seniors at 25 Lynden Avenue, Dundas; and, 34 townhouses for families at 122 and 132 Hatt Street, Dundas. The following are members of the DVNPHC Board of Directors:

George Bradley
Beth Gray
Judy Hudson
Paul Donahoe
Helen Beswick
Margaret Hill
Anne DeLottinville

As a result of municipal amalgamation, the new City of Hamilton that was established January 1, 2001 assumed the responsibilities of the former municipalities. While the Transition Board recommended amalgamation of municipal non-profit housing corporations, due to the enormous changes taking place in the municipal social housing sector and the resultant workload pressures resulting from devolution and the initial reticence for amalgamation on the part of some of the municipal non-profit housing corporations, staff have been taking a "gradualist" approach toward this issue, and working closely with the community to move forward.

In November of 2001, the Board of DVNPHC requested approval from the Council of the City of Hamilton to amend its Letters Patent so that Council approval would not be required to appoint its Board in the future. In effect, DVNPHC was seeking to cease its status as a municipal corporation. Concomitantly, DVNPHC entered into a management agreement with Stoney Creek Community Services Corporation, a corporation controlled by Stoney Creek Non-Profit Housing Corporation, another municipal non-profit housing corporation.

Council referred the request to staff, and so staff met with representatives of DVNPHC to review their issues and interests. Out of these discussions came mutual recognition that the primary interest was to ensure the provision of affordable housing that was cost effective and in a way that would preserve this housing in a good and attractive condition and that would be sensitive not only to tenants and neighbours but also to the "small town" atmosphere that prevails.

DVNPHC which had attempted an experimental management partnership with Stoney Creek Community Services Corporation was dissatisfied with that agreement and terminated it.

The DVNPHC then decided to follow the gradualist methodology undertaken by the City of Hamilton in which, to date, five (5) housing corporations have been put under the governance and direction of one Council appointed Board of Councillors and Citizens, and under one administration of the Housing Division. In an arrangement such as this, staff, subject to Council approval, have agreed to receive a transfer of one FTE (Jennifer Earle) and the associated budget base.

ANALYSIS OF ALTERNATIVES:

With the Board of DVNPHC having decided to retire and to request Council to appoint replacements for the vacancies, it is opportune to consolidate the governance and administration of the housing corporation by appointing the existing board of the other city-owned corporations and utilizing the administration of the City's Housing Division.

Consolidation with Hamilton's other corporations will offer the following benefits:

- Unified policy making;
- Consistent practices and procedures;
- Portfolio approach to property management in Dundas in which the two developments (54 units) of the City's Hamilton Housing Corporation can be combined with the two developments (74 units) of DVNPHC;
- An asset management approach to managing the "bricks and mortar";
- Access to sophisticated information system (YARDI);
- Opportunity to better utilize the FTE to be transferred and greater career prospects for the individual concerned;
- Improved potential to address future housing development needs in Dundas; and,
- Longer term opportunity for cost savings and increased service.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – There are no additional costs as a result of this recommendation. The City's subsidy commitments to DVNPHC under Provincial programs will not change as a result of this recommendation. However, in the longer term, through integration of service delivery and consolidation of both policy and decision making, it is anticipated that economies of scale and lower costs will be enjoyed.

Staffing – The Housing Division will accommodate the increased administrative workload, with its current resources and that of one FTE with associated budget base being transferred.

Legal – There are no legal implications. Under the Letters Patent and By-laws of the DVNPHC, Council is within its role and responsibility to exercise the power it has to appoint the board.

POLICIES AFFECTING PROPOSAL:

None.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff has consulted and discussed the initiative with the Board of DVNPHC and its staff person Jennifer Earle.

CITY STRATEGIC COMMITMENT:

This report supports the fifth Personal Health and Well-Being Goal of the "Strategies of a Sustainable Community" document:

- To develop a caring community which gives support and opportunity to all its members.

Specifically, this report supports Strategy 151, which recommends the following responses to housing needs in the community:

- Improving the match between local-income households and the amount of low-rent housing
- To expand the housing continuum to meet social housing needs.

MM:dk
Attach. (1)

Appendix “A” to Report PD02183

Dundas Valley Non-Profit Housing Corporation

122 Hatt Street
Dundas, Ontario L9H 6Y4
905-627-5773
Fax: 905-627-2993

July 12, 2002

Mark Mascarenhas
Director of Housing
City of Hamilton, Housing Division
55 Hess Street South, 23rd Floor
Hamilton, ON L9N 4E5

Dear Mr. Mascarenhas

This is to inform you that the Board of Directors for Dundas Valley Non-Profit Housing Corporation intends to retire effective September 30, 2002.

The Board requests that the City of Hamilton assign a new Board for Dundas Valley Non-Profit Housing.

Sincerely,

G Bradley

George Bradley
President

AFFECTS
WARD 8

CITY OF HAMILTON

4.13

COMMUNITY SERVICES DEPARTMENT
Corporate Buildings & Real Estate

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager
Date:	September 12, 2002	**Prepared by:**	William Moffatt 905-628-5507

SUBJECT: **Contract Amendments Movie Shoot Auchmar Estate (CS02061a) (Ward 8)**

RECOMMENDATION:

(a) That staff be authorized and directed to enter into an agreement with Brewster (BHH) Productions Inc. ("Brewster"), currently shooting a television series at the Auchmar Estate, 88 Fennell Avenue West, entitled Black Hole High, for the storage of their sets and equipment within the chapel portion of Auchmar estate as set out in the letter attached hereto and marked as Appendix "A" on a month to month basis at a monthly charge of $1,200, from October 25, 2002, and estimated to be a term of four months, expiring as of March 30, 2003, subject to early termination resulting from the disposition, sale, lease, partnership, joint venture of all or part of the estate of the property by the City or the cancellation of the series;

(b) That it be understood and agreed that any option or right to extend or renew the term of agreement or to overhold possession shall be subject to, expire and/or terminate upon, without compensation, the City entering into an agreement for the disposition of all or part of any interest in the Auchmar Estate by sale, lease partnership, joint venture or otherwise; and, the City shall be under no commitment, obligation, agreement or undertaking in its dealings with any party which may acquire any interest in the Auchmar Estate from the City for the extension of this term or renewal of the agreement with Brewster (BHH) Productions Inc. or otherwise. The City agrees to advise any prospective purchaser or party acquiring any interest in the lands and/or property after the expiration of the term of Brewster's potential interest in licensing or leasing the property for a further period;

(c) That the agreement to store materials be conditional upon Brewster (BHH) Productions Inc. agreeing not to store hazardous materials of any type, be responsible for all security, and maintain insurance at all times, and that this agreement be in a form acceptable to the Director of Legal Services and Corporate Counsel;

(d) That the City agrees that in the event that there is no disposition by the City of any interest or part thereof in the Auchmar Estate by sale, lease, partnership, joint venture or otherwise and the City's Licence Agreement with Brewster has been kept in good standing throughout its term, the City would not be adverse to relicensing the Auchmar Estate to Brewster for a further period of one year, subject to the approval of City Council at such time.

William E. Fenwick, Acting General Manager
Community Services

EXECUTIVE SUMMARY:

The purpose of this report is to seek permission to enter into an agreement to allow the television crew to leave their equipment on site until such time as they find out if their series is optioned, or alternatively until such time as the City disposes of the Estate.

Secondly, Brewster (BHH) Productions Inc. has requested some indication of the City's willingness to lease the property to them in the event that the City remains the owner and the property is not encumbered following the proposed Request for Proposal.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 8.

On June 26, 2002 City Council approved a motion thereby agreeing to enter into a licence agreement with Brewster (BHH) Productions Inc. for the use of Auchmar Estate for a period of four months for the purposes of shooting a television series entitled Black Hole High.

On February 6, 2001, City Council approved Item 25 of the Committee of the Whole directing staff to prepare the Terms of reference for a call for Proposals for the use of the Auchmar Estate and report back to Council.

On July 9, 2002, staff brought forward a recommendation to COW seeking to add the ability to sell the property. This recommendation was agreeable but tabled until the Ward Councillor could consult with the surrounding neighbours of the property. It is expected this recommendation will be forwarded to Council in September for reconsideration and that a Request for proposal will follow shortly thereafter.

Brewster (BHH) Productions Inc. first contacted the City and requested a term of four months to shoot the pilot of the series. Staff informed the company that it was in the process of issuing a request for proposal and that the City would not accept any terms, which would encumber the property past this year negating the ability to move forward with the Request for Proposal initiative.

Staff have been working with Brewster (BHH) Productions Inc. and have finalized the agreement for the initial four month shooting period. It is staff's understanding that if the networks like the pilot, the series has the potential to desire additional terms on location at Auchmar. Nevertheless, staff have advised the Company that no terms will be considered beyond the original agreement. Brewster Productions have been advised that they may wish to submit a bid once the RFP has been issued. Further, in the event that a new owner/lessee is identified Brewster will be free to negotiate for additional terms with the successful proponent.

Staff are recommending that the storage be allowed based upon a month to month agreement until such time as the disposition of Auchmar has been settled and are seeking Council's agreement to amend the agreement accordingly. Brewster's intent is to store office equipment, some radios, TVs and superfluous equipment within the chapel as well as leaving their set intact.

ANALYSIS OF ALTERNATIVES:

Council may wish to deny the additional storage at this time to ensure there is no encumbrance past the originally agreed term of agreement.

Alternatively, Council may desire to enter into negotiations for a term of two additional years with Brewster (BHH) Productions Inc. at this time. Staff do not recommend this course of action, as the City would then be liable for any repairs to the facility over the term of the agreement. Further the request for proposal would need to be delayed accordingly.

Council should be aware that if the extension of the series is confirmed Brewster (BHH) Productions have advised that the initial agreement would expand to a term of eight months shooting time for each additional year. Further the City's plans to divest itself of the property would be delayed until such time as any new movie agreement does expire (Potentially $160,000 revenue).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

If approved, an additional revenue of $4,800 would be payable to the City for this storage licence.

Staffing

There are no staffing implications arising out of this recommendation.

Legal Implications

The Legal Services & Corporate Counsel Division would be required to draft the necessary documentation for execution.

POLICIES AFFECTING PROPOSAL:

The terms of the Ontario Heritage Foundation Easement Agreement will have to be adhered to throughout any extension of the existing agreement.

Occupancy in the form of storage must be in accordance with all building and fire codes.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Heritage and Urban Design Section has been consulted with respect to heritage planning issues relative to this extension and have no objection to this proposal.

The Legal Services & Corporate Counsel Division has been consulted with respect to an agreement for the purposes of storing equipment on site.

CITY STRATEGIC COMMITMENT:

The City is committed to promoting the development of arts, culture and heritage. The recommendation herein would ensure that the City is attempting to cooperate with the arts to the extent possible without adversely affecting a larger mandate surrounding the adaptive re-use of the Auchmar Estate.

APPENDIX A

July 31, 2002

Mr. Bill Moffatt
City of Hamilton
160 King West,
Dundas Ontario
L9H 1V4

Dear Mr. Moffatt:

Re: Auchmar Estate – 4 Month Storage of Sets and Equipment

I'd like to submit this letter as an official request to the City of Hamilton for consideration in the matter of storing sets, office equipment and furnishing at the Auchmar estate location past the end date of our current contract.

Specifically we'd like to request a four-month storage term commencing October 28th, 2002 and continuing until March 30th, 2003 with a Storage Fee of $1200 CAD per month. Essentially we're looking to keep all the elements from the first season of filming our series Black Hole High at the 88 Fennell Avenue location in anticipation of commencing a second season of production in approximately April of 2003. This second cycle would be a longer filming period, likely lasting until November 2003, as we'd be producing 26 episodes rather than 13. A further four-month Storage Period would then follow until March of 2004 when a 3rd and probably final season of filming would commence.

During the proposed storage periods most of the furniture from the modern part of the building would remain in place, emptied and in a state of hibernation. Any valuables, electronics and office equipment would be stored in the chapel area where it would be easier to monitor for security purposes. We would prefer leaving much of our dressings in place within the older property as this would reduce wear & tear and damage on both our dressing and the fabric of the building. We would also like to leave our standing set in place within the chapel. To dismantle and reassemble this construction would largely destroy it.

This proposal would allow for the most efficient approach to planning our subsequent seasons and reduce to a minimum the impact of working in this wonderful heritage environment.

Brewster (BHH) Productions Inc. would like to extend their thanks to the City of Hamilton and all its employee's who have assisted us in establishing our project within your City. The Auchmar Estate is a truly first class filming location for the series. We look forward to several years of continued partnership.

We thank you in advance for your consideration of this proposal.

Sincerely

Kevin May
Black Hole High
Producer
Copy: Mr. Hank Wroblewski, Property Manager Property and Real Estate City of Hamilton,
Elizabeth Young, Production Manager, Black Hole High
Alex Bako, Assistant Location Manager. Black Hole High

AFFECTS
WARD 11

CITY OF HAMILTON

4.14

FINANCE & CORPORATE SERVICES DEPARTMENT
Budget & Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	August 28, 2002	**Prepared by:**	C. Elliott 546-2162

SUBJECT: **Winona Peach Festival Revised Contribution Schedule for the Winona Park Land Purchase (FCS02108) (Ward 11)**

RECOMMENDATION:

That the revised schedule, as set out in report #FCS02108, requested by the Winona Peach Festival for their contribution towards the park land purchase made in the year 2000 to expand Winona Park be approved.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

In 2000, the City of Stoney Creek purchased a 4.26 acre parcel of land adjacent to Winona Park for the purpose of expanding the park. At that time, the Winona Peach Festival agreed to contribute a total of $70,000 towards the purchase of the property, with payments of $20,000 in 2000, 2001 and 2002, and, $10,000 in 2003.

To date, the Winona Peach Festival has contributed $30,000 and is requesting a revised contribution schedule for the balance of $40,000.

The proposed contribution schedule being requested is as follows:

2002 (post festival)	$10,000
2003	$10,000
2004	$10,000
2005	$10,000
Total	$40,000

This report recommends the approval of the revised contribution schedule requested by the Winona Peach Festival.

BACKGROUND:

The City of Stoney Creek purchased a 4.26 acre parcel of land in 2000 for the purpose of expanding Winona Park from 10.8 to 15.06 acres. The addition to the park was to benefit the growing community, as well as the annual Winona Peach Festival.

Report CMS (CW) 2000-81, approved by City of Stoney Creek Council and the Transition Board, authorized staff to prepare and execute an Agreement of Purchase and Sale for the property known as the Bacic Property at 1348 Barton Street for park purposes.

In order to secure the required funding for the property purchase, Stoney Creek staff met with the Winona Peach Festival Executive to obtain a firm commitment of financial support for the project. The Festival executive agreed to contribute $70,000 on the basis of $20,000 on closing, $20,000 in 2001, $20,000 in 2002 and $10,000 in 2003. A letter confirming their commitment was received on July 24, 2000 from Dorothy Charlton, President, Winona Peach Festival.

In a letter dated June 7, 2002, to Councillor Mitchell, the Winona Peach Festival has requested that the contribution schedule be restructured to more closely match the expected cash flow of the festival. Copies of both letters are attached for Council's information.

ANALYSIS OF ALTERNATIVES:

The Winona Peach Festival is committed to honouring its obligation to the City, however, due to expected cash flow of the festival, it is requesting a revised contribution schedule for the $40,000 balance owing. As this was a voluntary contribution, it is recommended the proposed payment schedule be accepted.

Table 1 below shows a comparison of the original payment schedule with the revised payment schedule requested.

TABLE 1

COMPARISON OF PAYMENT SCHEDULES

YEAR	ORIGINAL SCHEDULE	ACTUAL PAYMENTS RECEIVED	PROPOSED REVISED SCHEDULE	
2000	$ 20,000	$ 20,000		
2001	$ 20,000			
2002	$ 20,000	$ 10,000		
2002			$ 10,000	(after Festival)
2003	$ 10,000		$ 10,000	
2004	-		$ 10,000	
2005	-		$ 10,000	
TOTAL	$ 70,000	$ 30,000	$ 40,000	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Winona Peach Festival's contribution was temporarily borrowed from the City of Stoney Creek Parkland Purchase / Development Reserve (25500) which was consolidated and renamed during amalgamation. Therefore, these funds must be credited to the new Stoney Creek Park Dedication Reserve 117021.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Consultation with other departments was not required.

CITY STRATEGIC COMMITMENT:

The revised contribution schedule will help relieve the financial pressure on the Festival, thus enabling it to continue in having a positive social and economic impact on the City.

1101-1

WINONA
SINCE 1967
PEACH
festival

RECEIVED
JUL 2 5 2000
The City of Stoney Creek
Community Services

July 24, 2000

Mayor A. Bain and all Members of Stoney Creek City Council,
777 Highway #8,
Stoney Creek, On

Dear Mayor Bain and Members of Council:

At our Regular Monthly General Membership Meeting of July 20, 2000, the members of the Winona Peach Festival unanimously agreed to "participate with the City of Stoney Creek in the purchase of the property due east of Winona Park, 1348 Barton Street, commonly known as the Bacic Lot. The Winona Peach Festival contribution will not exceed seventy thousand dollars ($70,000.00). Payment schedule will be twenty thousand dollars ($20,000.00) in the year 2000, twenty thousand dollars ($20,000.00) in the year 2001, twenty thousand dollars ($20,000.00) in the year 2002, and ten thousand dollars ($10,000.00) in the year 2003".

We appreciate the efforts of Mr. Phil Bruckler and his staff, Mayor Bain and this Council in the acquisition of this property. Our Festival can now continue to provide an opportunity to fund-raise for our Member Organizations.

Throughout its thirty - four year history, Winona Peach Festival has experienced a positive working relationship with both the Town and the City of Stoney Creek. We trust that this will continue under the new structure.

Thank you for your continued support.

Yours truly,

Dorothy Charlton

Dorothy Charlton, (Mrs.)
President,
Winona Peach Festival

DC:gb

87037
Capital Project
for 'WINONA PARK'

Initial $20,000 payment rec'd
and deposited by Frank Carrocci
FB
July 2

Deposited to
87037913 Aug 3/00

P.O. BOX 10505 WINONA, ONTARIO, CANADA L8E 5R1
PHONE: (905) 643-2084 FAX: (905) 643-0909

"People working together for a better community"

WINONA
PEACH
festival

Frank Carocci.

June 07, 2002

Mr. Dave Mitchell
Councillor, Ward 11
City of Hamilton
71 Main St. W.
Hamilton, On   L8N 3T4

Dear Councillor Mitchell: **RE: Winona Park Land Purchase**

As you are aware, the Winona Peach Festival has now paid an amount of $ 30,000.00 towards the original amount of $ 70,000.00 which is our portion of the total purchase price of the property known as the Bacic property, adjacent to the Eastern portion of Winona Park.

Our original agreement was $ 20,000.00 as a down payment at date of purchase (2000) with an additional $ 20,000.00 payable during the years 2001 and 2002 with the balance of $ 10,000.00 payable in the year 2003. As mentioned herein, we have presently paid $ 30,000.00 against this debt.

The purpose of this letter is to ask that the remaining repayment schedule be restructured in a manner that would somewhat relieve the financial pressure on our festival. To this, I would ask you to consider the following revised repayment schedule:

2002	$ 10,000.00 (post-festival)
2003	$ 10,000.00
2004	$ 10,000.00
2005	$ 10,000.00

We believe in honouring our commitments and ask you to consider this request.

Yours truly,

Dorothy Charlton per pg.

Dorothy Charlton, President
DC:pbg
BacicPaymentSchedule.pbg

SECTION 6

SECTION 7

SECTION 8

SECTION 10

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

10.1

FINANCE & CORPORATE SERVICES
Budget & Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	July 17, 2002	**Prepared by:**	John Di Battista 546-4371

SUBJECT: **Capital Budget Variance Report - As of June 2002 (FCS02096) (City Wide)**

RECOMMENDATION:

a) That the June 2002 Budget Variance Report (Appendix A & C) for the rate supported and the tax levy supported capital projects be received for information.

b) That the budget transfers for the Water Quality Initiative Section of the Rate Capital Works Program as listed in Appendix B be approved.

c) That the General Manager of Finance & Corporate Services be directed to close the completed Capital Projects as listed in Appendix D and that the net funding requirement of $1,719,538 be funded from the sources as listed in Appendix D – Summary of Net Funding Sources.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

This report presents the capital budget variance status for both the Rate and Tax Supported Capital budgets as submitted by operational departments and is based on actual expenditures to June 30th, 2002.

The Rate-supported capital budget portion consists of projects totalling about $219.3 million (see Appendix A) whereas the tax capital budget portion consists of projects totalling $720.4 million (see Appendix C) for a total of about $939.7 million. Further, an additional $110.7 million of completed projects are being recommended for closure.

This report will present the variance analysis for the Rate and the Tax Capital Budget separately.

VARIANCE ANALYSIS – WATER/WASTEWATER CAPITAL BUDGET (Appendix A)

This section of the capital variance report is based on information submitted by the Transportation, Operation, & Environment Department for water & sewer capital projects.

The following paragraphs will deal with the financing required to budget for the Rate program, summary of the variance analysis included in Appendix A and a request for budget transfers (Appendix B).

Financing Required to Budget

The City's capital financing policy provides for the funding of capital projects to budget where the source is internal to the Corporation. These funding sources include contributions from the rate operating budget and contributions from water/sewer reserves. External funding sources, such as debenture financing, are normally undertaken near or at project completion, thus, any external sources of funding not yet received would show as a variance between actual and budgeted revenues at the time of closure.

As of June 30th, the financing required to budget totalled $49.7 million and consisted of the following external revenue sources still outstanding:

External Financing -	CSO Tanks	$ 19.8
	Water Quality Initiatives	14.0
Development Charges/Special Area Charges		14.5
Property Owner's Share/Private Contributions		1.4
Total		$ 49.7

The required financing to budget of $49.7 million has been incorporated into the 2002 and prior rate supported capital budget financing plans.

VARIANCE ANALYSIS – APPENDIX A

Appendix A separates the Rate Budget between Waterworks and Wastewater and each section is further separated into Infrastructure projects, Water Quality initiatives and Development related projects. These in turn are separated into New projects (approved as part of the 2002 budget process) and Work in Progress projects (WIPS), which have been approved in previous budgets.

Overall, the approved Rate Budget totals $219.3 million, of which $110.7 million or 50.5% is expended or committed as of June 30th 2002. Appendix A provides an explanation of each project variance.

The following will provide a variance summary for each sub-section within the Rate capital budget:

WATERWORKS

The Waterworks budget totals $76.7 million of which $42.3 million or 55.1% is expended or committed as of June 25th, 2002.

Waterworks-Infrastructure Maintenance

The Infrastructure Maintenance budget totals $61.5 million or 80% of the total Waterworks budget. As of June 25th, 2002, the budget was $35.6 million or 57.9% expended or committed.

Of the unspent $25.9 million portion, $4.2 million is expected to be tendered in 2003, $5.0 million in projects are delayed to 2003 or 2004 and the remaining $16.7 million is expected to be committed or expended by the end of the year.

Waterworks-Water Quality Initiatives (Plant/Outstations)

The Water Quality Initiative budget totals $13.8 million or 18.0% of the Waterworks budget. As of June 25th, 2002, the budget was $6.0 million or 43.7% expended or committed.

All of the remaining $7.8 million is expected to be committed or spent by the end of the year.

Waterworks – Development Related Projects

The Development related budget totals $1.5 million or 2.0% of the Waterworks budget. As of June 25th, 2002, the budget was $0.6 million or 43.1% expended. The Development Division is currently in the process of reviewing the unspent projects.

WASTEWATER

The Wastewater budget totals $142.6 million of which $68.5 million or 48.0% is expended or committed as of June 25th, 2002.

Wastewater-Infrastructure Maintenance

The Infrastructure Maintenance budget totals $65.5 million or 45.9% of the total Wastewater budget. As of June 25th, 2002, the budget was $34.1 million or 52.1% expended or committed.

Of the unspent $31.4 million, $7.8 million in projects are delayed to 2003 and the remaining $23.6 million is expected to be committed or expended by the end of the year.

Wastewater-Water Quality Initiatives (Plant/Outstations/CSO Tanks)

The Water Quality Initiative budget totals $56.1 million or 39.3% of the Wastewater budget. As of June 25th, 2002, the budget was $30.0 million or 53.5% expended or committed.

Of the unspent $26.1 million, $5.2 million in projects are delayed to 2003 and the remaining $20.9 million is expected to be committed or expended by the end of the year.

Wastewater – Development Related Projects

The Development related budget totals $21.0 million or 13.0% of the Wastewater budget. As of June 25th, 2002, the budget was $4.3 million or 20.1% expended. Included in the Development Projects is $10.1 million for Binbrook Infrastructure Expansion and $3.2 for the Dundas-Flamborough Wastewater Treatment Plant expansion, where work is proceeding.

BUDGET TRANSFERS – APPENDIX B

Staff is requesting the approval of budget transfers within the Water Quality Initiative section. Appendix B lists the projects where the funds are being transferred from and the projects where the funds are being transferred to as well as the reason why the funds are available for transfer.

VARIANCE ANALYSIS – TAX LEVY SUPPORTED CAPITAL BUDGET (Appendix C)

This capital variance report is based information submitted by departments for tax levy capital projects.

The following paragraphs will deal with the unfunded debt prior to the 2001 tax capital budget, the financing required to budget for the tax levy capital program, and a summary of the variance analysis included in Appendix C.

Unfunded Debt

Unfunded external debt up to and including the approval of the 2002 Capital Budget totalled $161.3 Million. Included in this amount is $19.3 million for the Freeway.

After June 30th, which is the date of the variance report is based, Council authorized a debenture issue of $60.0 million (FCS02082) thus leaving an unfunded debt balance of $101.3 million.

The unfunded balance of $101.3 million, which reflects the debenture issue approved in July 2002, consists of the following:

UNFUNDED DEBT
$ (000'S)

	Approved for Issue	Issued To Date	Outstanding As of July 12th
Unfunded Projects Prior to 2001	120.0	60.0	60.0
Unfunded Former Municipalities	4.0	1.0	3.0
Approved in 2001 (Excludes Expressway)	31.0	31.0	0.0
Approved in 2002 (Excludes Expressway)	41.2	4.4	36.8
Expressway (Approved to 2002)	54.2	52.7	1.5
Total	250.4	149.1	101.3

It should be noted that $18.3 million of borrowings are to make up for Development Charge revenue shortfalls pertaining to the Expressway ($15.0 million) and the New Mountain Police Station ($3.3 million). This debt will be repaid by future development charge collections.

Regarding the Expressway, total debt required for completion is $114.1 million of which $52.7 million has been issued leaving a potential future obligation of $61.4 million.

Financing Required to Budget

As of June 30th, the financing required to budget totalled $214.0 million and consisted of the following revenue sources:

Unfunded external debt *	$ 161.3
SuperBuild & Hamilton Future Fund Related Projects	20.7
Wentworth Lodge Reconstruction	19.8
Other Revenue Sources-Subsidy, Development Charges etc	12.2
Total	$ 214.0

* Since June 30th, there has been a $60 million debenture issue. Once distributed to the individual capital projects the unfunded external debt would total $101.3 and the funding required to budget would total $154.0 million.

Summary of the Variance Analysis (Appendix C)

Overall, the approved Tax Supported Capital budget totals $720.4 million of which $512.4 or 71.1% is expended or committed as of June 30th 2002. Appendix C provides an explanation of each project variance.

The following will provide a variance summary for each sub-section within the Tax Levy Supported capital budget.

TRANSPORTATION, OPERATION & ENVIRONMENT

ROADS

The Roads capital budget totals $115.0 million. As of June 25th, 2002, the budget was $69.5 million or 60.5% expended or committed.

Of the remaining $45.5 million, $8.0 million in projects are either delayed or being reviewed and the remaining $37.5 million is expected to be committed or expended by the end of 2002 or early 2003.

WASTE MANAGEMENT

The Waste Management capital budget totals $50.9 million. As of June 25th, 2002, the budget was $27.4 million or 53.8% expended or committed.

Of the remaining $23.5 million, $7.1 million in projects are either delayed or being reviewed and the remaining $16.4 million is expected to be committed or expended by the end of 2002 or early 2003.

EXPRESSWAY

The Expressway capital budget totals $268.8 million. As of June 25th, 2002, the budget was $258.3 million or 96.1% expended or committed.

The remaining $10.5 million is expected to be committed or expended by the end of 2002 or early 2003.

STORM SEWERS

The Storm Sewer capital budget totals $30.0 million. As of June 25th, 2002, the budget was $14.8 million or 49.3% expended or committed.

Of the remaining $15.2 million, $2.1 million in infrastructure projects are delayed until 2003 and $2.7 million in development projects are being reviewed and the remaining $10.4 million is expected to be committed or expended by the end of 2002 or early 2003.

TRANSIT-NON FLEET

The Transit capital budget totals $1.9 million. As of June 25th, 2002, the budget was $0.9 million or 49.5% expended or committed.

The remaining $1.0 million is expected to be committed or expended by the end of 2002 or early 2003.

FLEET MANAGEMENT- INCLUDES TRANSIT

The Fleet Management capital budget totals $60.1 million. As of June 25th, 2002, the budget was $46.4 million or 76.6% expended or committed. .

The remaining $13.7 million is expected to be committed or expended by the end of 2002 or early 2003.

COMMUNITY SERVICES

PARKS

The Parks capital budget totals $27.7 million. As of June 30th, 2002, the budget was $10.7 million or 39.0% expended or committed.

Of the remaining $17.0 million, $1.4 million are former SuperBuild projects which are delayed until alternative funding sources are approved, and $6.8 million of the 2002 approved projects are currently in the design stage of their project cycle. The remaining $8.8 million is expected to be committed or expended by the end of 2002 or early 2003.

CULTURE & RECREATION

The Culture & Recreation capital budget totals $21.7 million. As of June 30th, 2002, the budget was $12.9 million or 59.5% expended or committed.

Of the remaining $8.8 million, $7.2 million represents 2002 approved projects which are currently in the design stage of their project cycle. The remaining $1.6 million is expected to be committed or expended by the end of 2002 or early 2003.

EMERGENCY SERVICES

The Emergency Services capital budget totals $27.4 million. As of June 30th, 2002, the budget was $17.0 million or 62.2% expended or committed.

Of the remaining $10.4 million, $5.2 million represents 2002 approved projects which are currently in the design stage of their project cycle. The remaining $5.2 million is expected to be committed or expended by the end of 2002 or early 2003.

CORPORATE BUILDINGS

The Corporate Buildings capital budget totals $63.4 million. As of June 30th, 2002, the budget was $24.5 million or 38.6% expended or committed.

Of the remaining $38.9 million, $15.8 million represents 2002 approved projects which are currently in the design stage of their project cycle. Included in the $38.9 million is $10.2 million for the Mountain Police Station, $20.4 million for Wentworth Lodge Reconstruction and $3.9 million for City Hall improvements. The remaining $4.4 million is expected to be committed or expended by the end of 2002 or early 2003.

PARKING SERVICES

The Parking Services capital budget totals $1.2 million. As of June 30th, 2002, the budget was $0.8 million or 65.0% expended or committed.

The remaining $0.4 million is expected to be committed or expended by the end of 2002 or early 2003.

ECONOMIC DEVELOPMENT

The Economic Development capital budget totals $1.1 million. As of June 30th, 2002, the budget was $0.3 million or 30.3% expended or committed.

Of the remaining $0.8 million, $0.5 million represents the Brownfields Pilot project which is currently getting started. The $0.8 million is expected to be committed or expended by the end of 2002 or early 2003.

INDUSTRIAL PARKS

The Industrial Parks capital budget totals $24.9 million. As of June 30th, 2002, the budget was 101.0% expended or committed.

Currently, expenditures exceed revenues by $8.5 million. This shortfall is being funded from future land sales and an annual contribution of $516,000 per year from the Economic Development operating budget.

OTHER/MISCELLANEOUS

This capital budget totals $12.7 million. As of June 30th, 2002, the budget was $0.6 million or 5.0% expended or committed.

Of the remaining $12.1 million, $7.4 million represents the allocation of Hamilton Future Fund projects yet to be determined and $2.7 million in projects awaiting SuperBuild approvals. The remaining $2.6 million is expected to be committed or expended by the end of 2002 or early 2003.

PLANNING & DEVELOPMENT

The Planning & Development capital budget totals $12.8 million. As of June 30th, 2002, the budget was $2.9 million or 22.7% expended or committed.

Of the remaining $9.9 million, $3.2 million is for Bay St. Improvements which is awaiting SuperBuild approvals, and $1.0 million in projects are being delayed until 2003. The remaining $5.7 million is expected to be committed or expended by the end of 2002 or early 2003.

CLOSURE REPORT (Appendix D)

All capital projects have been reviewed and it has been determined that the projects listed in the Closure Report (Appendix D) are complete and all revenue and expenditure transactions relating to the projects have been processed.

Appendix D lists a funding source for each project in a deficit position and a funding transfer for each project in a surplus position.

The total budget for projects recommended to be closed is $110.7 million of which $106.3 million or 96.0% is expended. Total revenues are $104.5 million leaving a funding requirement of $1.7 million.

The Summary of the Net Funding Sources table included in Appendix D summarizes the recommended net funding transfers required to fund all closed projects and their resulting impact on the various funding sources.

BACKGROUND:

The information contained in this report has city-wide implications.

Council approved capital projects are reviewed in accordance with the City's approved capital budget variance and closure policy (FCS01133/TOE01184). For each variance/closure report, staff determine if projects can be closed (inactivated) and also monitor financial activity to ensure that Council is aware of any capital projects which deviate significantly from approved budgeted amounts.

Inactivating completed projects helps to keep the number of capital projects in the financial system to a manageable size and eliminates redundant data from reports.

The financial information in this report is based on actual spending to June 2002.

ANALYSIS OF ALTERNATIVES:

None

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The inactivation of projects listed in Appendix D requires net funding of $1.7 million.

The Summary of the Net Funding Sources table included in Appendix D summarizes the recommended net funding transfers required to fund all closed projects and their resulting impact on the various funding sources.

POLICIES AFFECTING PROPOSAL:

None

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Information included in this variance report regarding the capital budget variances and closures have been provided by the staff of the following departments:

Community Services
T.O.E.
Planning & Development
Finance Corporate Services

CITY STRATEGIC COMMITMENT:

N/A

CITY OF HAMILTON
BUDGET VARIANCE REPORT
RATES PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
RATES SUPPORTED PROGRAM										
WATERWORKS										
WATERWORKS INFRASTRUCTURE MAINTENANCE PROGRAM										
NEW/ANNUALS & WIPS RESUBMITTED										
annual	5140060071	Annual - Rehabilitation	6,753,000.00	6,753,000.00	3,328,153.79	3,339,305.98	85,540.23	-	98.7%	anticipate 100% spent/committed by year end
2000	5140061062	Up James-Stone Church to Mohawk	861,000.00	861,000.00	29,364.82	353,498.82	478,136.36	-	44.5%	TOE 02-23(HSW)
annual	5140061070	Annual - Minor Improvements	464,000.00	464,000.00	357,703.16	34,064.68	72,232.16	-	84.4%	anticipate 100% spent/committed by year end
2000	5140061072	Annual - Detailed Engineering SS	289,000.00	289,000.00	89,187.27	20,013.00	179,799.73	-	37.8%	anticipate 100% spent/committed by year end
2000	5140062073	Annual - Field Data Hardware & Sys	184,000.00	184,000.00	0.00	0.00	184,000.00	-	0.0%	anticipate 100% by year end
2000	5140063021	Seabreeze - Glover to McNeilly	331,000.00	331,000.00	7,500.00	0.00	323,500.00	-	2.3%	Fall 2002 tender
annual	5140070000	Water Co-Ordination - Road Work	5,400,000.00	5,400,000.00	1,849,534.97	1,209,323.29	2,341,141.74	-	56.6%	anticipate 100% by year end
2000	5140071074	Annual - Contingency Unscheduled Works	459,000.00	459,000.00	204,267.12	97,116.27	157,616.61	-	65.7%	anticipate 100% spent/committed by year end
2000	5140072023	Mountain S - King to Maple	104,000.00	104,000.00	2,804.19	3,277.50	97,918.31	-	5.8%	Summer 2002 tender
2001	5140103097	Annual - Ham Downtown Infra Co-ord	494,000.00	494,000.00	0.00	324,078.88	169,921.12	-	65.6%	anticipate 100% spent/committed by year end
2001	5140125107	Annual - Municipal Act Program	170,000.00	170,000.00	0.00	0.00	170,000.00	-	0.0%	Project delayed to 2003
2001	5140171105	Jones-Arvin - SS Rd	373,000.00	373,000.00	8,756.52	15,498.54	348,744.94	-	6.5%	Early Fall 2002 tender
2001	5140171125	Collier- S Bend to S Bend	139,000.00	139,000.00	0.00	6,000.00	133,000.00	-	4.3%	anticipate 100% by year end
2001	5140172110	Wentworth N - King-Barton	525,000.00	525,000.00	8,902.74	1,000.76	515,096.50	-	1.9%	Project delayed to 2004
2001	5140172134	Fifty Rd N Service-McCollum	352,000.00	352,000.00	113,244.99	0.00	238,755.01	-	32.2%	Design 2002, Tender 2003
2002	5140249555	QA-QC Service Contract	70,000.00	70,000.00	5,517.51	57,958.70	6,523.79	-	90.7%	anticipate 100% spent/committed by year end
2002	5140255264	Infra Master Planning-Existing	100,000.00	79,000.00	0.00	54,924.00	45,076.00	21,000.00	54.9%	commitments to end of 2002
2002	5140255265	Grids-TOE Related Initiatives	10,000.00	10,000.00	71.04	0.00	9,928.96	-	0.7%	anticipate 100% spent/committed by year end
2002	5140255266	Lynden Servicing Strategy	100,000.00	100,000.00	22,278.08	41,922.43	35,799.49	-	64.2%	anticipate 100% by August
2002	5140255267	Greensville Servicing Strategy	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Project start Fall 2002
2002	5140255268	Water Sys Master Plan-City Wide	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipated completion end of 2003
2002	5140255269	Airport Areas Servicing Strategy	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	Anticipated completion end of 2002
2002	5140255270	Environ Management System - EMS	168,000.00	168,000.00	3,027.47	118,015.00	46,957.53	-	72.0%	anticipate 100% spent/committed by year end
2002	5140255273	Backflow Prevention Study	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Project start Fall 2002
2002	5140261261	Miles-TCPL R-O-W to Dickenson	787,000.00	787,000.00	0.00	0.00	787,000.00	-	0.0%	Fall 2002 tender
2002	5140262078	Annual-Lead Service Removal	400,000.00	400,000.00	301,239.90	65,947.45	32,812.65	-	91.8%	anticipate 100% spent/committed by year end
2002	5140262210	Rosslyn-Montclair to Lawrence	238,000.00	238,000.00	0.00	1,450.00	236,550.00	-	0.6%	Late Summer 2002 Tender
2002	5140262239	Hillside-South to Rowanwood	124,000.00	124,000.00	0.00	0.00	124,000.00	-	0.0%	Early Fall 2002 tender
2002	5140263260	Rymal E - Swayze to Easement	90,000.00	90,000.00	0.00	0.00	90,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271203	Garden-Fiddlers-Approx. 200m E	67,000.00	67,000.00	0.00	5,000.00	62,000.00	-	7.5%	tendered
2002	5140271209	Rose Lawn - Anson to Miller	145,000.00	145,000.00	0.00	5,000.00	140,000.00	-	3.4%	tendered
2002	5140271212	Gage N - Barton to Birch	400,000.00	400,000.00	0.00	10,000.00	390,000.00	-	2.5%	Summer 2002 tender
2002	5140271214	E35th-Queensdale to Brucedale	150,000.00	150,000.00	0.00	0.00	150,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271215	Anson-Miller to Garden	118,000.00	118,000.00	0.00	5,000.00	113,000.00	-	4.2%	tendered
2002	5140271217	Donlea - Oakrest to Valecrest	199,000.00	199,000.00	0.00	11,450.00	187,550.00	-	5.8%	anticipate 100% by year end
2002	5140271218	Beaconsfield-U Ottawa to Currie	203,000.00	203,000.00	0.00	0.00	203,000.00	-	0.0%	Late Summer 2002 Tender
2002	514027122[illegible]	[illegible]na-Norrie to McElroy	205,000.00	205,000.00	[illegible]0	0.00	205,000.00	-	0.0%	Early Fall 2002 tende[illegible]

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YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
WATER-NEW/ANNUALS & WIPS RESUBMITTED con't										
2002	5140271223	E12th-Concession to Inverness	262,000.00	262,000.00	0.00	0.00	262,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271224	E43rd-Queensdale-Sunninghill	160,000.00	160,000.00	0.00	0.00	160,000.00	-	0.0%	Project delayed to 2004
2002	5140271225	E34th - Fennell to Macassa	286,000.00	286,000.00	0.00	0.00	286,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271233	Princess-Victoria to Melville	72,000.00	72,000.00	0.00	1,450.00	70,550.00	-	2.0%	Supplementary List
2002	5140271234	W26th-San to Bend-W26th-W25th	250,000.00	250,000.00	0.00	235,000.00	15,000.00	-	94.0%	TOE 02-29(HWY)
2002	5140271237	E11th-Concession to Inverness	241,000.00	241,000.00	0.00	0.00	241,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271245	Coron-Parkdale-Masyhurst-King	142,000.00	142,000.00	0.00	0.00	142,000.00	-	0.0%	Late Summer 2002 Tender
2002	5140271246	Walter-Brit-Roxb-Duns-Adeline	285,000.00	285,000.00	0.00	0.00	285,000.00	-	0.0%	Late Summer 2002 Tender
2002	5140271247	Hunt-Baker-Sunset-Locheame	356,000.00	356,000.00	1,980.18	12,250.00	341,769.82	-	4.0%	Summer 2002 tender
2002	5140271249	Bernard-Melvin-Martha-	154,000.00	154,000.00	0.00	0.00	154,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271250	Airdrie-Melvin-Britannia	101,000.00	101,000.00	0.00	0.00	101,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271252	Norrie-Dana to Dodson	54,000.00	54,000.00	0.00	0.00	54,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271253	Eleventh-E42nd to E43rd	70,000.00	70,000.00	0.00	0.00	70,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271254	E43rd-Mohawk to Seventh	390,000.00	390,000.00	0.00	0.00	390,000.00	-	0.0%	Early Fall 2002 tender
2002	5140271255	Algoma - Laurier to Laurier	187,000.00	187,000.00	0.00	183,000.00	4,000.00	-	97.9%	TOE 02-06(HWY)
2002	5140271262	Wellington-Barton to Cannon	331,000.00	331,000.00	0.00	0.00	331,000.00	-	0.0%	Late Summer 2002 Tender
2002	5140272204	Fennell - E12th to E17th	170,000.00	170,000.00	0.00	0.00	170,000.00	-	0.0%	Project delayed to 2004
2002	5140272207	Dunsmure-Ott-Edge-Park Row	335,000.00	335,000.00	0.00	0.00	335,000.00	-	0.0%	Fall 2002 tender
2002	5140272208	Miller - Garden to Anson	244,000.00	244,000.00	0.00	9,000.00	235,000.00	-	3.7%	tendered
2002	5140272211	McNeilly-S Service to Barton	540,000.00	540,000.00	0.00	0.00	540,000.00	-	0.0%	Design 2002, Tender 2003
2002	5140272213	Sherman N - King to Cannon	165,000.00	165,000.00	0.00	6,000.00	159,000.00	-	3.6%	Summer 2002 tender
2002	5140272222	Mahony-Adeline-Guelph-Goggn	312,000.00	312,000.00	0.00	0.00	312,000.00	-	0.0%	Early Fall 2002 tender
2002	5140272230	Winona Barton to South Service RD	331,000.00	331,000.00	0.00	0.00	331,000.00	-	0.0%	Project delayed to 2003
2002	5140272231	Dundurn-Charlton to Aberdeen	432,000.00	432,000.00	0.00	0.00	432,000.00	-	0.0%	Project delayed to 2004
2002	5140272236	Herkimer-Dundurn to Locke	295,000.00	295,000.00	0.00	290,000.00	5,000.00	-	98.3%	TOE 02-27(HSW)
2002	5140272256	Queen - Main to Amelia	914,000.00	914,000.00	8,061.47	646,000.01	259,938.52	-	71.6%	anticipate November completion
2002	5140272263	Guise-Hughson-Bay-Bay-Guise-Wood	254,000.00	254,000.00	0.00	0.00	254,000.00	-	0.0%	Late Summer 2002 Tender
2002	5140273259	Highland W-Second W - Carlson	263,000.00	0.00	0.00	15,000.00	248,000.00	263,000.00	5.7%	Summer 2002 tender
2002	5140280280	PS-H7 to Approx. 150m S	180,000.00	0.00	0.00	0.00	180,000.00	180,000.00	0.0%	anticipate 100% spent/committed by year end
1997	5149764738	Hwy 6-Dickenson To Airport-H-N	1,850,000.00	1,850,000.00	135,016.75	1,084.76	1,713,898.49	-	7.4%	Design 2002, Tender 2003
annual	5149860899	Annual - Preliminary Engineer	163,000.00	163,000.00	92,061.49	74,838.52	(3,900.01)	-	102.4%	complete pending final payment
1999	5149963944	Coin Operated Fill Stations	138,000.00	138,000.00	1,471.53	0.00	136,528.47	-	1.1%	Project delayed to 2003
1999	5149964936	Hwy 6-Twenty To Dickenson	1,431,000.00	1,431,000.00	5.90	0.00	1,430,994.10	-	0.0%	Design 2002, Tender 2003
	SUB-TOTAL		**32,180,000.00**	**31,716,000.00**	**6,570,150.89**	**7,253,468.59**	**18,356,380.52**	**464,000.00**	43.0%	

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WATER - PLANT/OUTSTATIONS - NEW/ANNUALS & WIPS RESUBMITTED										
2000	5140066002	Replace HL Discharge Valves	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2000	5140066005	Highlift Sump Pumps(2)	46,000.00	0.00	0.00	0.00	46,000.00	46,000.00	0.0%	Anticipate 100% spent by year end
2000	5140066006	H L Vibration Monitor Equip	115,000.00	0.00	0.00	14,000.00	101,000.00	115,000.00	12.2%	Anticipate 100% spent by year end
2000	5140067052	Replace Switchgear Batteries	40,000.00	0.00	0.00	0.00	40,000.00	40,000.00	0.0%	Anticipate 100% spent by year end
2000	5140067054	Diesel Tank Assess Upgrade B	100,000.00	0.00	33,408.94	40,371.45	26,219.61	100,000.00	73.8%	Anticipate 100% spent by year end
2000	5140067056	WH-18 New Transfer Switch	15,000.00	0.00	0.00	15,000.00	0.00	15,000.00	100.0%	Committed
annual	5140069075	Annual Regional Labs	400,000.00	0.00	209,136.78	33,283.80	157,579.42	400,000.00	60.6%	Anticipate 100% spent by year end
2001	5140166101	AN - Operational Improve-Plant	361,000.00	0.00	0.00	90,400.00	270,600.00	361,000.00	25.0%	Transfer $270,600 to 5140166111
2001	5140166102	Replace Electrical Cable Pot Head	85,000.00	0.00	0.00	0.00	85,000.00	85,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166103	Replace 4160Volt Batteries	60,000.00	0.00	0.00	0.00	60,000.00	60,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166104	Replace MCC starters WW pumps	50,000.00	0.00	0.00	53,850.00	(3,850.00)	50,000.00	107.7%	Committed
2001	5140166105	Upgrade High Lift Sump Pumps	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166107	Intake Raw Water Sample System	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166108	Ammonia System Upgrade-Relocate	150,000.00	0.00	0.00	0.00	150,000.00	150,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166110	Trash Screen Solids Handling	60,000.00	0.00	0.00	19,835.00	40,165.00	60,000.00	33.1%	Anticipate 100% spent by year end
2001	5140166111	Install Low Profile Underdrains	200,000.00	0.00	0.00	0.00	200,000.00	200,000.00	0.0%	Anticipate 100% spent by year end
2001	5140166112	Mandated Plant Improvements	1,690,000.00	0.00	0.00	0.00	1,690,000.00	1,690,000.00	0.0%	Transfer $1,000,000 to 5140166111
annual	5140167153	AN- Operational Improve-Out	356,000.00	0.00	0.00	0.00	356,000.00	356,000.00	0.0%	Anticipate 100% spent by year end
2001	5140167154	Freelton Well 3A-Inst Chlr Facility	50,000.00	0.00	0.00	0.00	50,000.00	50,000.00	0.0%	Anticipate 100% spent by year end
2001	5140167155	Communal Well Upgrades	200,000.00	0.00	130,568.03	21,668.00	47,763.97	200,000.00	76.1%	Anticipate 100% spent by year end
2001	5140167156	Chlorine Contact Tanks	200,000.00	0.00	0.00	0.00	200,000.00	200,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266203	Study Advance & Membrane Tech	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266204	Diff Pressure Instrumentation	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266205	Improve Security at Plant	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266208	Creation of P&ID Drawings	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266209	Low Lift MCC Replacement	100,000.00	0.00	0.00	0.00	100,000.00	100,000.00	0.0%	Anticipate 100% spent by year end
2002	5140266211	Groundwater Protection Study	500,000.00	482,000.00	8,847.05	491,410.65	(257.70)	18,000.00	100.1%	Committed
2002	5140266212	Hydrogeological Studies	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267250	Kelly Tower-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267251	Kelly Twr-Recirculation Equip	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267252	Dundas Tower-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267253	Dun Twr-Recirculation Equip	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267254	Greenhill 1B-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267255	Reservoir 7-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267256	Reservoir 11-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267257	Reservoir 18-Rechlor Facility	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267259	Station Security	50,000.00	50,000.00	33,990.07	11,000.00	5,009.93	-	90.0%	Anticipate 100% spent by year end
2002	5140267260	Greensville Well-Increase Tank Cap	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267261	Greensville Well Diesel Backup Generator	60,000.00	60,000.00	0.00	0.00	60,000.00	-	0.0%	Anticipate 100% spent by year end
2002	5140267262	Freelton Well-Diesel Backup Generator	60,000.00	60,000.00	0.00	0.00	60,000.00	-	0.0%	Anticipate 100% spent by year end
1997	51497677[illegible]	[illegible] 12A Hwy 99 Replace Pumps	30,000.00	30,000.00	[illegible]	0.00	30,000.00	-	0.0%	Anticipate 100% spe[illegible]ar end

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WATER - PLANT/OUTSTATIONS - NEW/ANNUALS & WIPS RESUBMITTED con't										
1997	5149767756	Wh-12 South St Replace Pumps	40,000.00	40,000.00	0.00	0.00	40,000.00	-	0.0%	Anticipate 100% spent by year end
1998	5149866804	Pre-Treatment-Redirect Drains	150,000.00	150,000.00	19,570.04	84,874.00	45,555.96	-	69.6%	Anticipate 100% spent by year end
1998	5149867851	Wh-4A-Install Controls	15,000.00	15,000.00	0.00	0.00	15,000.00	-	0.0%	Anticipate 100% spent by year end
1998	5149867852	Wh-09-Fifty Rd-Refurbish Station	80,000.00	80,000.00	0.00	0.00	80,000.00	-	0.0%	Anticipate 100% spent by year end
1998	5149867854	Wh-3A-Install Controls	15,000.00	15,000.00	0.00	0.00	15,000.00	-	0.0%	Anticipate 100% spent by year end
1999	5149966902	Replace 4160_2200 V Cable-HLS	65,000.00	65,000.00	0.00	0.00	65,000.00	-	0.0%	Anticipate 100% spent by year end
1999	5149966903	Rewind 3 Pump Motors-HLS	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent by year end
1999	5149967956	W-H2-Pump&Discharge Valve	60,000.00	60,000.00	0.00	0.00	60,000.00	-	0.0%	Anticipate 100% spent by year end
	SUB-TOTAL		**7,253,000.00**	**2,257,000.00**	**435,520.91**	**875,692.90**	**5,941,786.19**	**4,996,000.00**	**18.1%**	
	TOTAL NEW/ANNUALS & WIPS RESUBMITTED		**39,433,000.00**	**33,973,000.00**	**7,005,671.80**	**8,129,161.49**	**24,298,166.71**	**5,460,000.00**	**38.4%**	
WATERWORKS INFRASTRUCTURE MAINTENANCE PROGRAM										
WIP PROJECTS										
2000	5140003054	King William - James Catherine	275,000.00	275,000.00	334.77	0.00	274,665.23	-	0.1%	Project delayed to 2004
2000	5140003055	Hughson - Main to Hunter	147,000.00	147,000.00	825.69	0.00	146,174.31	-	0.6%	TOE 02-01
2000	5140060063	Enhanced Cleaning & Lining	5,000,000.00	5,000,000.00	4,031,242.00	504,197.91	464,560.09	-	90.7%	anticipate year end completion
2000	5140061049	Cannon E-Barnsdale Sherman	304,000.00	304,000.00	257,508.50	35,157.25	11,334.25	-	96.3%	complete pending final payment
2000	5140063022	Lewis Rd N Service Campview	135,000.00	135,000.00	99,973.01	0.00	35,026.99	-	74.1%	anticipate year end completion
2000	5140063030	Substandard Watermain Replace	1,250,000.00	1,250,000.00	283,140.40	0.00	966,859.60	-	22.7%	Multi-Year Project
2000	5140063034	London Maple King Ottawa	235,000.00	235,000.00	194,229.30	7,459.92	33,310.78	-	85.8%	complete pending final payment
2000	5140063041	Lamoreaux - Dundurn Strathcona	190,000.00	190,000.00	165,159.95	7,860.58	16,979.47	-	91.1%	complete pending final payment
2000	5140063060	Queen N - Barton to Hess	190,000.00	190,000.00	170,160.85	1,458.72	18,380.43	-	90.3%	complete pending final payment
2000	5140064026	Turnbridge - PS WH6-B	855,000.00	836,360.00	2,251.82	776,344.00	76,404.18	18,640.00	91.1%	anticipate year end completion
2000	5140064044	Stone Church-Up Paradise Omni	453,000.00	453,000.00	268,372.18	126,851.09	57,776.73	-	87.2%	complete pending final payment
2000	5140071031	Howard-South Bend to N End	144,000.00	144,000.00	108,537.86	6,176.93	29,285.21	-	79.7%	anticipate year end completion
2000	5140071042	Wildewood-Brentwood Kinglsea	250,000.00	250,000.00	196,222.77	45,189.03	8,588.20	-	96.6%	anticipate year end completion
2000	5140071043	Blair - Martha to Melvin	148,000.00	148,000.00	122,635.78	8,572.98	16,791.24	-	88.7%	complete pending final payment
2000	5140071056	Laurier - Columbia S Bend	504,000.00	504,000.00	504,242.18	0.00	(242.18)	-	100.0%	top asphalt
2000	5140071058	James - Peel to Bond	220,000.00	220,000.00	22,637.33	173,827.79	23,534.88	-	89.3%	cancelled
2000	5140071059	Martha - Lewis to Oriole	201,000.00	201,000.00	170,016.88	14,489.28	16,493.84	-	91.8%	complete pending final payment
2000	5140071089	Oneida - Hiawatha to Seneca	206,000.00	206,000.00	172,175.35	30,489.51	3,335.14	-	98.4%	complete pending final payment
2000	5140071092	Seneca - Oneida to End	160,000.00	160,000.00	138,107.31	23,337.30	(1,444.61)	-	100.9%	complete pending final payment
2000	5140072032	E24th - Fennell to Franklin	285,000.00	285,000.00	248,292.82	0.00	36,707.18	-	87.1%	top asphalt
2000	5140072082	King - Strathcona to Cathedral	421,000.00	421,000.00	416,452.13	7,087.33	(2,539.46)	-	100.6%	complete pending final payment
2000	5140072085	Wendakee-Crenona to East St	110,000.00	110,000.00	53,764.98	0.00	56,235.02	-	48.9%	Completion 2003
2000	5140072095	Creanona - Waterside to N End	130,000.00	130,000.00	63,721.46	0.00	66,278.54	-	49.0%	Completion 2003
2001	5140103124	John-King (N leg) to Cannon	334,000.00	334,000.00	34,990.18	225,207.36	73,802.46	-	77.9%	anticipate year end completion
2001	5140103136	Hughson - King William to Barton	464,000.00	464,000.00	1,940.54	0.00	462,059.46	-	0.4%	Project delayed to 2004
2001	5140103143	Rebecca - James to John	139,000.00	139,000.00	0.00	0.00	139,000.00	-	0.0%	2003 with Streetscaping
2001	5140161101	Depew - Industrial to Beach	502,000.00	502,000.00	3,481.12	0.00	498,518.88	-	0.7%	Project delayed to 2004

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WATER-WIP PROJECTS con't										
2001	5140161109	Standardization of Hydrants	1,673,000.00	1,673,000.00	98,969.62	728,317.00	845,713.38	-	49.4%	anticipate year end completion
2001	5140161115	Clark St- Ferrie to Burton	90,000.00	90,000.00	31,010.23	25,552.52	33,437.25	-	62.8%	complete pending final payment
2001	5140161135	Herk-MacDonald to Dundurn	325,000.00	325,000.00	93,280.12	207,287.29	24,432.59	-	92.5%	anticipate year end completion
2001	5140161137	Simcoe-Ferguson to Railway	148,000.00	148,000.00	814.48	0.00	147,185.52	-	0.6%	Tender award 2002
2001	5140161138	Ben Lomond-Concession to North limit	85,000.00	85,000.00	78,809.36	0.00	6,190.64	-	92.7%	top asphalt
2001	5140161146	Brock -King to Melville	116,000.00	116,000.00	81,015.51	0.00	34,984.49	-	69.8%	anticipate year end completion
2001	5140162102	Ferguson-Macaulay-Pictn-Simco	330,000.00	330,000.00	419,170.09	111,298.93	(200,469.02)	-	160.7%	complete - appropriation adjustment required
2001	5140162128	Victoria - Burton to CNR track	188,000.00	188,000.00	176,120.30	0.00	11,879.70	-	93.7%	top asphalt
2001	5140164127	UGge-60m SO Anna Capri-Rymal H	900,000.00	700,530.00	564,880.15	238,510.50	96,609.35	199,470.00	89.3%	anticipate year end completion
2001	5140171106	Lewis-Martha-Brittannia	75,000.00	75,000.00	51,197.89	7,753.37	16,048.74	-	78.6%	top asphalt
2001	5140171108	Uplands - Franklin - Norwood	83,000.00	83,000.00	69,924.53	3,412.24	9,663.23	-	88.4%	complete pending final payment
2001	5140171112	Holmes -Emerson to W End	192,000.00	192,000.00	0.00	0.00	192,000.00	-	0.0%	Project delayed to 2004
2001	5140171114	Ward - Bowman to Emerson	143,000.00	143,000.00	113,966.04	32,338.11	(3,304.15)	-	102.3%	top asphalt
2001	5140171117	Taylor - Valleyview to end	350,000.00	350,000.00	0.00	0.00	350,000.00	-	0.0%	Project delayed to 2003
2001	5140171118	Parkview - Taylor to Taylor	118,000.00	118,000.00	0.00	0.00	118,000.00	-	0.0%	Project delayed to 2003
2001	5140171119	E14th- Fennell to Callie	143,000.00	143,000.00	0.00	112,213.11	30,786.89	-	78.5%	anticipate year end completion
2001	5140171121	W34th- Scenic to South end	267,000.00	267,000.00	197,434.88	41,613.82	27,951.30	-	89.5%	anticipate year end completion
2001	5140171126	Ferrara-Wise(S leg)-Wise(N leg	166,000.00	166,000.00	0.00	134,014.00	31,986.00	-	80.7%	anticipate year end completion
2001	5140171129	E42nd- Sunninghill-Brucedale	365,000.00	365,000.00	278,264.15	65,248.17	21,487.68	-	94.1%	anticipate year end completion
2001	5140171131	Elliot-Upp Kenilworth-Grenadier	97,000.00	97,000.00	0.00	90,336.00	6,664.00	-	93.1%	anticipate year end completion
2001	5140171139	Strathcona- King to York	358,000.00	358,000.00	297,792.19	16,423.62	43,784.19	-	87.8%	top asphalt
2001	5140171140	W28th- Leslie to Sanatorium	261,000.00	261,000.00	166,869.97	34,674.72	59,455.31	-	77.2%	top asphalt
2001	5140171144	Park - Wellington to Bond	119,000.00	119,000.00	85,622.46	1,773.86	31,603.68	-	73.4%	top asphalt
2001	5140172104	Christina-Brtn-WillowLn-Glvr	140,000.00	140,000.00	101,054.45	8,738.10	30,207.45	-	78.4%	complete pending final payment
2001	5140172111	Aberdeen - James Mt. to Bay	218,000.00	218,000.00	40,957.06	139,118.67	37,924.27	-	82.6%	anticipate year end completion
2001	5140172116	Mill - Elgin to Hwy #5	508,000.00	508,000.00	368,915.93	72,370.62	66,713.45	-	86.9%	complete pending final payment
2001	5140172120	Park - Duke to Charlton	173,000.00	173,000.00	96,294.35	64,745.75	11,959.90	-	93.1%	complete pending final payment
2001	5140172122	Stinson - Wentworth to Erie	245,000.00	245,000.00	58,388.26	158,557.00	28,054.74	-	88.5%	anticipate year end completion
2001	5140172142	Rxbrgh-Wltr-Julian & Ivan-Glen	120,000.00	120,000.00	98,156.22	7,772.88	14,070.90	-	88.3%	complete pending final payment
2001	5140172145	Winona - Barton to Hwy#8	227,000.00	227,000.00	16,281.90	220,000.00	(9,281.90)	-	104.1%	TOE 02-02(HSW)
1994	5149472483	Ferguson-King To CNR Rail line	175,000.00	175,000.00	155,942.64	0.00	19,057.36	-	89.1%	anticipate year end completion
1956	5149662627	Purchase Easements WATER	229,000.00	229,000.00	84,891.30	0.00	144,108.70	-	37.1%	anticipate 100% spent/committed by year end
1996	5149672645	Chegwin-McMurry-Hope St.	176,000.00	176,000.00	176,314.35	6,897.96	(7,212.31)	-	104.1%	complete pending final payment
1997	5149755745	EMS 14,001 Certify (50P) WATER	82,000.00	82,000.00	68,856.83	0.00	13,143.17	-	84.0%	ongoing project
1997	5149772750	Sulpher Springs-Wilson- Mansfield	268,000.00	268,000.00	136,205.19	0.00	131,794.81	-	50.8%	anticipate year end completion
1998	5149803868	Walnut-King William To Main	136,000.00	136,000.00	42,166.07	0.00	93,833.93	-	31.0%	Project delayed to 2004
1998	5149861850	Pipeline-Replace Surge Support Valve	958,000.00	958,000.00	839,146.54	2,800.00	116,053.46	-	87.9%	anticipate 100% spent/committed by year end
1998	5149880939	Olympic-King To N-Leg Hopkins	1,220,000.00	1,206,433.00	1,075,880.52	712.32	143,407.16	13,567.00	88.2%	complete pending final payment
1999	5149903958	Ferguson-King Wm. to Cannon	220,000.00	220,000.00	79,176.22	7,175.04	133,648.74	-	39.3%	Completion 2003
1999	5149960999	Closed Water Project	165,000.00	165,000.00	150,843.76	0.00	14,156.24	-	91.4%	ongoing project - annual
1999	5149961945	Reservoir Rd-Ps H9 To Fifty	50,000.00	50,000.00	38,572.90	0.00	11,427.10	-	77.1%	anticipate year end completion
1999	5149961[illegible]	[illegible]d Dundas-Wilson- Montgomery	451,000.00	451,000.00	23[illegible]	94,101.82	122,019.01	-	72.9%	complete pending fi[illegible]ent

CITY O ILTON
BUDGET VA CE REPORT
RATES PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
WATER-WIP PROJECTS con't										
1999	5149961962	Hunter-York To Concord	410,000.00	410,000.00	377,552.30	131,604.32	(99,156.62)	-	124.2%	top asphalt
1999	5149963910	Ferguson N - Wood to Macauley	105,000.00	105,000.00	0.00	0.00	105,000.00	-	0.0%	transfer budget to 5140162102 - complete
1999	5149963916	Jones-King-Mln&Elm-King-Maple	270,000.00	270,000.00	330,848.51	82,000.00	(142,848.51)	-	152.9%	complete - appropriation adjustment required
1999	5149963941	Elcho,Rosedene,Wycliffe,Searle	490,000.00	490,000.00	454,305.46	0.00	35,694.54	-	92.7%	top asphalt
1999	5149963987	Ferrie - Wellington To Emerald	220,000.00	220,000.00	140,289.23	10,468.93	69,241.84	-	68.5%	top asphalt
1999	5149963994	Patterson&Clarence-Queen-E end	35,000.00	35,000.00	21,710.86	1,472.52	11,816.62	-	66.2%	anticipate year end completion
1999	5149971906	Chester-Hwy8 to Federal Compton	64,000.00	64,000.00	31,076.74	25,558.78	7,364.48	-	88.5%	complete pending final payment
1999	5149971908	Blenheim,Hwy8,Fedrl,Cedar,Gray	64,000.00	64,000.00	31,213.55	25,386.45	7,400.00	-	88.4%	complete pending final payment
1999	5149971909	Norwich-Hwy8 to Compton Way	61,000.00	61,000.00	29,057.84	24,842.16	7,100.00	-	88.4%	complete pending final payment
1999	5149971963	Delevan-Seven Oaks-Seven Oaks	85,000.00	85,000.00	68,925.60	0.00	16,074.40	-	81.1%	anticipate year end completion
1999	5149971990	Napa-King To Park	43,000.00	43,000.00	19,727.57	0.00	23,272.43	-	45.9%	Completion 2003
1999	5149972905	Deerhurst-Hemlock to Federal	237,000.00	237,000.00	91,121.43	118,378.57	27,500.00	-	88.4%	complete pending final payment
1999	5149972907	Warwick-Hwy8 to Compton Way	63,000.00	63,000.00	35,335.71	20,364.29	7,300.00	-	88.4%	complete pending final payment
1999	5149972959	Knyvet, Kelso & Highcliffe	495,000.00	495,000.00	490,443.47	8,557.74	(4,001.21)	-	100.8%	complete pending final payment
1999	5149980961	Highland-Ps W-H7 To Second Rd	176,000.00	176,000.00	102,138.71	0.00	73,861.29	-	58.0%	anticipate year end completion
1999	5149980979	PS - N Sydenham Neighbourhood	850,000.00	850,000.00	72,849.22	0.00	777,150.78	-	8.6%	Project delayed to 2003
	SUB-TOTAL		**29,273,000.00**	**29,041,323.00**	**16,695,078.99**	**5,076,098.16**	**7,501,822.85**	**231,677.00**	**74.4%**	
WATER - PLANT/OUTSTATIONS - NEW/ANNUALS & WIPS RESUBMITTED										
WIP PROJECTS										
2001	5140166106	Replace Liquid Chlorine Trans Lines	65,000.00	65,000.00	0.00	0.00	65,000.00	-	0.0%	Anticipate 100% spent by year end
2001	5140166109	Reservoir Structure & Mech. Insp.	350,000.00	350,000.00	0.00	0.00	350,000.00	-	0.0%	$100,000 (2002) / $250,000 (2003)
1997	5149766702	Refurbish High Lift Pumps	840,000.00	840,000.00	112,415.06	40,292.90	687,292.04	-	18.2%	Anticipate 100% spent by year end
1999	5149966905	Arch Upgrades-Water Buildings	600,000.00	600,000.00	183,391.29	0.00	416,608.71	-	30.6%	Transfer $416,600 to 5140166111
1997	5149767751	PCB Disposal WATER	259,000.00	259,000.00	117,690.26	3,192.00	138,117.74	-	46.7%	Anticipate 100% spent by year end
1996	5149666601	WWTP Roof & Masonry Repairs	886,000.00	886,000.00	519,879.38	0.00	366,120.62	-	58.7%	Transfer $366,000 to 5140166111
1997	5149767755	Wh 6A Refurbish Station	146,000.00	146,000.00	53,217.90	35,105.67	57,676.43	-	60.5%	Anticipate 100% spent by year end
1999	5149966904	GAC Filtration WTP-Feasibl. Study	66,000.00	66,000.00	49,487.84	10,055.94	6,456.22	-	90.2%	Committed
1997	5149767752	Roof Repairs (Outstations)	345,000.00	345,000.00	320,849.39	19,023.04	5,127.57	-	98.5%	Project complete pending final payment
2000	5140066003	GAC Filtration at WTP	3,000,000.00	3,000,000.00	2,913,431.60	346,278.48	(259,710.08)	-	108.7%	Project complete pending final payment
	SUB-TOTAL		**6,557,000.00**	**6,557,000.00**	**4,270,362.72**	**453,948.03**	**1,832,689.25**	**0.00**	**72.0%**	
	TOTAL WIP PROJECTS		**35,830,000.00**	**35,598,323.00**	**20,965,441.71**	**5,530,046.19**	**9,334,512.10**	**231,677.00**	**73.9%**	

CITY OF HAMILTON
BUDGET VARIANCE REPORT
RATES PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
DEVELOPMENT PROJECTS										
1999	5149978925	Meadowlands of Ancaster-Ph 4b	153,000.00	152,388.80	79,994.08	0.00	73,005.92	611.20	52.3%	transfer funds from control account
1998	5149879824	James Mt Gardens-Ph1 (Ham) WW	6,000.00	0.00	0.00	0.00	6,000.00	6,000.00	0.0%	Development Division Reviewing
1998	5149878824	James Mt Gardens-Ph1 (Ham)	7,000.00	0.00	0.00	0.00	7,000.00	7,000.00	0.0%	Development Division Reviewing
1997	5149778715	Dalma Gardens-Stoney Creek	29,000.00	29,000.00	0.00	0.00	29,000.00	-	0.0%	Development Division Reviewing
2001	5140118183	Southbrook on the Green Phase 1	75,000.00	0.00	75,177.94	0.00	(177.94)	75,000.00	100.2%	transfer funds from control account
2001	5140118182	Fairways of Chedoke	260,000.00	10,000.00	256,725.40	0.00	3,274.60	250,000.00	98.7%	Finance to do budget
2001	5140118181	Binbrook Infra Project	348,000.00	0.00	36,909.64	0.00	311,090.36	348,000.00	10.6%	Development Division Reviewing
2001	5140118180	ANNUAL - OVERSIZING	297,000.00	0.00	0.00	0.00	297,000.00	297,000.00	0.0%	Development Division Reviewing
2000	5140078014	Shadyglen - Stage 1 SC	178,000.00	127,132.80	178,053.65	0.00	(53.65)	50,867.20	100.0%	transfer funds from control account
2000	5140063038	Falcon - Fifty to West End	101,000.00	101,000.00	0.00	0.00	101,000.00	-	0.0%	Development Division Reviewing
	TOTAL DEVELOPMENT PROJECTS		**1,454,000.00**	**419,521.60**	**626,860.71**	**0.00**	**827,139.29**	**1,034,478.40**	**43.1%**	
	TOTAL INFRASTRUCTURE MAINTENANCE PROJECTS		**61,453,000.00**	**60,757,323.00**	**23,265,229.88**	**12,329,566.75**	**25,858,203.37**	**695,677.00**	**57.9%**	
	TOTAL WATER PLANT/OUTSTATIONS		**13,810,000.00**	**8,814,000.00**	**4,705,883.63**	**1,329,640.93**	**7,774,475.44**	**4,996,000.00**	**43.7%**	
TOTAL WATERWORKS			**76,717,000.00**	**69,990,844.60**	**28,597,974.22**	**13,659,207.68**	**34,459,818.10**	**6,726,155.40**	**55.1%**	
WASTEWATER										
WASTEWATER - INFRASTRUCTURE MAINTENANCE										
NEW/ANNUALS & MULTI-YEAR PROJECTS										
2001	5160125107	ANNUAL-Municipal Act Program	650,000.00	162,000.00	0.00	0.00	650,000.00	488,000.00	0.0%	Project Delayed 2003
2002	5160225221	MA - Lochside - McCollum-E end	175,000.00	0.00	0.00	0.00	175,000.00	175,000.00	0.0%	Project Delayed 2003
2002	5160225222	MA - Glancaster-Rymal Roads	575,000.00	0.00	0.00	0.00	575,000.00	575,000.00	0.0%	Project Delayed 2003
2002	5160255264	Infra Master Planning-Existing	361,000.00	321,000.00	0.00	0.00	361,000.00	40,000.00	0.0%	anticipate 100% spent/committed by year end
2002	5160255265	GRIDS-TOE Related Initiatives	10,000.00	10,000.00	0.00	0.00	10,000.00	-	0.0%	anticipate 100% spent/committed by year end
2002	5160255266	Real-time Control Flow Monitor	150,000.00	150,000.00	0.00	0.00	150,000.00	-	0.0%	Project Scope 2002
2002	5160255267	San System Master Plan-City Wide	400,000.00	400,000.00	0.00	0.00	400,000.00	-	0.0%	anticipate completion end of 2003
2002	5160255269	Airport Area Servicing Strategy	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	anticipate completion end 2002/early 2003
2002	5160260201	Trunk Swr-PS-H18 I&I Reduction	1,000,000.00	1,000,000.00	0.00	0.00	1,000,000.00	-	0.0%	Scope 2002, Construction 2003
2002	5160260271	Annual-I-I Reduction Program	500,000.00	500,000.00	0.00	0.00	500,000.00	-	0.0%	Scope 2002, Construction 2003
2002	5160262202	Ease-90m NE Ham St-Waterdown WWTP	170,000.00	170,000.00	0.00	0.00	170,000.00	-	0.0%	Land 2002, construction 2003
2001	5160168111	Ewen Rd CSO Tank	810,000.00	0.00	3.08	0.00	809,996.92	810,000.00	0.0%	EA. 2002, Construction 2003
annual	5160062073	Annual - Field Data Systems SW	200,000.00	200,000.00	782.55	0.00	199,217.45	-	0.4%	anticipate 100% spent/committed by year end
annual	5160068078	Annual - WQI SW	279,500.00	279,500.00	4,094.86	0.00	275,405.14	-	1.5%	anticipate 100% spent/committed by year end
2001	5160168112	Greenhill Ave CSO Tank	18,000,000.00	3,200,000.00	365,619.91	16,213,046.16	1,421,333.93	14,800,000.00	92.1%	TOE 02-05(CSO)
2002	5160225220	MA-Stonechurch-W5th-Up James	106,000.00	0.00	2,381.87	0.00	103,618.13	106,000.00	2.2%	going to Council
1999	5169968988	Windemere Basin Dredging	10,545,000.00	10,545,000.00	131,624.44	147,550.22	10,265,825.34	-	2.6%	Project Under Review
2001	5160168113	Royal Ave CSO Tank	1,080,000.00	0.00	23,581.83	75,638.50	980,779.67	1,080,000.00	9.2%	EA. 2002, Construction 2003
1997	5169768725	Redhill CSO Tank-Tunnel	3,454,000.00	306,000.00	319,592.42	33,885.68	3,100,521.90	3,148,000.00	10.2%	Project Delayed 2003
annual	5160068077	Annual - Overflow Alarms SW	902,000.00	902,000.00	62,018.98	39,380.96	800,600.06	-	11.2%	Project Delayed 2003
annual	5160061072	Annual - Detailed Engineering SW	279,000.00	279,000.00	65,577.87	10,309.48	203,112.65	-	27.2%	anticipate 100% spent/committed by year end
annual	51600700[illegible]	[illegible]n Co-Ordination - Road Work	1,256,300.00	1,256,300.00	41[illegible]7	213,463.35	623,017.18	-	50.4%	anticipate 100% spe[illegible]itted by year end

CITY C[illegible]ILTON
BUDGET VA[illegible]CE REPORT
RATES PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
WASTEWATER - INFRASTRUCTURE MAINTENANCE NEW con't										
annual	5160061070	Annual - Minor Improvements SW	2,381,000.00	2,381,000.00	1,440,936.90	50,806.76	889,256.34	-	62.7%	anticipate 100% spent/committed by year end
2002	5160255270	Environ Management System-EMS	282,000.00	282,000.00	0.00	198,123.00	83,877.00	-	70.3%	anticipate 100% spent/committed by year end
annual	5160060071	Annual - Rehabilitation SW 00	2,633,000.00	2,633,000.00	1,373,549.40	681,760.92	577,689.68	-	78.1%	anticipate 100% spent/committed by year end
annual	5160071074	Annual - Contingency Unsched Works SW	888,000.00	888,000.00	689,032.55	7,024.00	191,943.45	-	78.4%	anticipate 100% by year end
annual	5160003097	Annual Downtown Core Infra Program	250,000.00	250,000.00	0.00	216,916.63	33,083.37	-	86.8%	anticipate 100% spent/committed by year end
2002	5160249555	QA-QC Service Contract	100,000.00	100,000.00	5,568.73	85,044.18	9,387.09	-	90.6%	anticipate 100% spent/committed by year end
	SUB-TOTAL		**47,636,800.00**	**26,414,800.00**	**4,904,184.86**	**17,972,949.84**	**24,759,665.30**	**21,222,000.00**	**48.0%**	
WASTEWATER - PLANT/OUTSTATIONS										
NEW/ANNUALS & MULTI-YEAR PROJECTS										
2000	5160067053	Diesel Tank Assess Upgrade A	275,000.00	275,000.00	94,620.03	35,590.21	144,789.76	-	47.3%	Anticipate 100% spent/committed by year end
annual	5160069075	Annual - Regional Labs	480,000.00	480,000.00	205,665.10	50,730.88	223,604.02	-	53.4%	Anticipate 100% spent/committed by year end
2001	5160166101	Prep of Future Plant Contract	400,000.00	400,000.00	(464.46)	0.00	400,464.46	-	-0.1%	Project delayed 2003
2001	5160166105	Digester Upgrades	13,000,000.00	4,000,000.00	5,668,443.74	1,674,418.00	5,657,138.26	9,000,000.00	56.5%	Anticipate 100% spent/committed by year end
2001	5160166107	Replace 1 Methane Gas Comp	400,000.00	400,000.00	0.00	0.00	400,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166111	Redirect Storm to San Sewers	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166115	Dechlorination Facility	1,060,000.00	1,060,000.00	0.00	73,608.00	986,392.00	-	6.9%	Anticipate 100% spent/committed by year end
2001	5160166120	Wet Weather Treatment Study	250,000.00	250,000.00	175,970.94	123,087.25	(49,058.19)	-	119.6%	Anticipate 100% spent/committed by year end
2001	5160166121	New CSO Study F-5-5	250,000.00	250,000.00	88,682.85	147,950.31	13,366.84	-	94.7%	Anticipate 100% spent/committed by year end
2002	5160266205	Decomsn Incinerators&Stacks	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266206	Replace Sludge Transfer Pumps	80,000.00	80,000.00	0.00	0.00	80,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266207	Install New Scum Pumps	300,000.00	300,000.00	0.00	0.00	300,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266208	2 New Main Sewage Pumps	550,000.00	550,000.00	0.00	62,877.00	487,123.00	-	11.4%	Project delayed 2003
2002	5160266210	South Clarifier Upgrades	200,000.00	200,000.00	0.00	0.00	200,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266211	Effluent Water Pumps 1 & 2	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266212	Study-Site Drain Pipe Integrity	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266213	Replace Dewater Bldg. Elec Feeder	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266214	Convers-4 Breakers-Stnby Bldg.	160,000.00	160,000.00	0.00	0.00	160,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266215	Lab-Admin Building Design	500,000.00	500,000.00	0.00	0.00	500,000.00	-	0.0%	$200,000 (2002) / $300,000 (2003)
2002	5160266216	Install Test Pnts 4160V Switchgr	15,000.00	15,000.00	0.00	0.00	15,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266217	Upgrade Plant Lighting	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266218	Improve Plant Security	200,000.00	200,000.00	22,186.24	860.00	176,953.76	-	11.5%	Anticipate 100% spent/committed by year end
2002	5160266219	Primary Gallery Upgrades	60,000.00	60,000.00	35,339.37	0.00	24,660.63	-	58.9%	Anticipate 100% spent/committed by year end
2002	5160266220	Bio-Solids Study	100,000.00	100,000.00	0.00	67,836.00	32,164.00	-	67.8%	Anticipate 100% spent/committed by year end
2002	5160266221	Berm Landscaping	30,000.00	30,000.00	0.00	0.00	30,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266222	Air Monitoring Systems	30,000.00	30,000.00	0.00	0.00	30,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266223	Headwork's Bypass Channel	900,000.00	900,000.00	0.00	0.00	900,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266224	Aeration Mud Valve Install	250,000.00	250,000.00	0.00	0.00	250,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266225	WWTP Entrance Reconfig & Weigh Scale	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266227	WWTP-Architecture Upgrades	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end

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WASTEWATER - PLANT/OUTSTATIONS NEW - Con't										
2002	5160266228	Electrical Coordination Study	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266229	Stormwater Quality Monitoring	200,000.00	200,000.00	2,717.24	51,766.91	145,515.85	-	27.2%	Anticipate 100% spent/committed by year end
2002	5160266230	WQSP-Facility Design for RAP	600,000.00	600,000.00	0.00	92,320.00	507,680.00	-	15.4%	Anticipate 100% spent/committed by year end
2002	5160266232	Dundas WWTP - Plant Security	100,000.00	100,000.00	0.00	3,200.00	96,800.00	-	3.2%	Anticipate 100% spent/committed by year end
2002	5160266233	Headwork's Grit Removal Studies	20,000.00	20,000.00	0.00	0.00	20,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266234	Dundas-Replace 3 Sluice Gates	50,000.00	50,000.00	0.00	32,910.00	17,090.00	-	65.8%	Anticipate 100% spent/committed by year end
2002	5160266235	Dundas Dechlorination	150,000.00	150,000.00	0.00	0.00	150,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266236	Dundas - Archit Upgrades	25,000.00	25,000.00	0.00	0.00	25,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266237	Waterdown - RAS&WAS Control	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266239	Waterdown-Filter Upgrade & Refur	350,000.00	350,000.00	0.00	0.00	350,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266241	Waterdown-Pickle Liquor Tank Refurbish	65,000.00	65,000.00	0.00	0.00	65,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266243	Waterdown - Dechlorination	150,000.00	150,000.00	0.00	0.00	150,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266244	Waterdown - Arch Upgrades	25,000.00	25,000.00	0.00	0.00	25,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266245	Waterdown Plant Security	25,000.00	25,000.00	0.00	3,200.00	21,800.00	-	12.8%	Anticipate 100% spent/committed by year end
2002	5160266246	Plant Stress Testing-Woodward	400,000.00	400,000.00	0.00	0.00	400,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266247	Dundas - Install Bar screen	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266248	Waterdown - Install Barscreen	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266249	Screw Pump Covers	20,000.00	20,000.00	0.00	0.00	20,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266250	Odour Control Environment	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266251	Dewatering Equipment	100,000.00	100,000.00	0.00	0.00	100,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160266252	Dun-Refurb #2 Sludge Tank Roof	250,000.00	250,000.00	0.00	12,544.00	237,456.00	-	5.0%	Anticipate 100% spent/committed by year end
2002	5160267250	S Springs-Manifold Replace Pumps	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160267251	Calvin - Replace Pumps	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2002	5160267252	Brampton-Strath Control Gates	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
1997	5169767755	Roof Repairs	723,000.00	723,000.00	128,568.81	0.00	594,431.19	-	17.8%	Project delayed 2003
1999	5169966907	N Aeration-Railings & Concrete	500,000.00	500,000.00	0.00	0.00	500,000.00	-	0.0%	Anticipate 100% spent/committed by year end
	SUB-TOTAL		**24,468,000.00**	**15,468,000.00**	**6,421,729.86**	**2,432,898.56**	**15,613,371.58**	**9,000,000.00**	**36.2%**	
	TOTAL NEW PROJECTS		**72,104,800.00**	**41,882,800.00**	**11,325,914.72**	**20,405,848.40**	**40,373,036.88**	**30,222,000.00**	**44.0%**	

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WASTEWATER - INFRASTRUCTURE MAINTENANCE										
WIPS PROJECTS										
2000	5160060037	SP SH-18 Sewer Shed	600,000.00	600,000.00	0.00	0.00	600,000.00	-	0.0%	anticipate 100% spent/committed by year end
2000	5160063043	MA - Miles-Rymal 314m S	35,000.00	35,000.00	0.00	0.00	35,000.00	-	0.0%	Project delayed 2003
2001	5160103109	Ferguson - Cannon to Wilson	135,000.00	135,000.00	0.00	0.00	135,000.00	-	0.0%	Fall Tender
2001	5160125133	MA-Baseline- E St to Creanona	220,000.00	220,000.00	169,613.05	28,850.76	21,536.19	-	90.2%	complete pending final payment
2001	5160161102	Greenhill-Cortina to CSO Tank	2,000,000.00	2,000,000.00	34,649.26	107,253.00	1,858,097.74	-	7.1%	Project delayed to 2004
2001	5160172108	Mill-Chuch#5-Victoria	290,000.00	290,000.00	249,810.63	571.55	39,617.82	-	86.3%	complete pending final payment
1990	5169055019	M I S A Demo Project 1 & 2	355,000.00	355,000.00	286,555.21	0.00	68,444.79	-	80.7%	Completion in 2002
1991	5169155104	Computer-Based Control(50%) SW	942,000.00	942,000.00	794,391.88	0.00	147,608.12	-	84.3%	anticipate 100% spent/committed by year end
1993	5169323331	Hwy 6-Hamilton Limit - Twenty	551,000.00	551,000.00	12,756.89	0.00	538,243.11	-	2.3%	Project Delayed - MTO approvals
1995	5169561527	Cold Water-Brentwood-Old Ancaster	710,000.00	710,000.00	623,708.62	32,361.30	53,930.08	-	92.4%	complete pending final payment
1995	5169562521	Purchase Easements SW	443,000.00	443,000.00	380,144.30	0.00	62,855.70	-	85.8%	anticipate 100% spent/committed by year end
1997	5169725764	Seabreeze-Glover Access-McNeilly	933,000.00	933,000.00	128,137.24	0.00	804,862.76	-	13.7%	Fall Tender
1997	5169755729	EMS 14,001 Certify (50P) SW	82,000.00	82,000.00	72,688.17	6,290.01	3,021.82	-	96.3%	ongoing project
1997	5169755799	Annual-Preliminary Engineer SW	454,000.00	454,000.00	343,159.22	34,417.24	76,423.54	-	83.2%	anticipate 100% spent/committed by year end
1997	5169762713	Dundas-Flam WWTP Capacity Expansion	3,834,000.00	3,834,000.00	3,803,088.40	719,121.20	(688,209.60)	-	118.0%	multi-year project, additional 2003 works
1998	5169855824	MOEE CSO Guideline Review SW	109,000.00	109,000.00	3,352.66	0.00	105,647.34	-	3.1%	Construction 2003
1998	5169860825	Western San Intercept Rehab SW	1,555,000.00	1,555,000.00	44,009.71	60,482.11	1,450,508.18	-	6.7%	Scope is under review
1998	5169862827	Unv. Gardens - Dunning - Hunter	1,418,000.00	1,418,000.00	1,231,266.09	136,132.56	50,601.35	-	96.4%	complete pending final payment
1999	5169960937	Hatt Sewer Shed - John to Head	260,000.00	260,000.00	285,321.51	9,527.50	(34,849.01)	-	113.4%	complete pending final payment
1999	5169960948	Algonquin, Thorncrest Ease	300,000.00	300,000.00	16,248.08	13,225.20	270,526.72	-	9.8%	Completion in 2002
1999	5169960999	Closed Sanitary Project	186,000.00	186,000.00	164,557.71	0.00	21,442.29	-	88.5%	ongoing - annual
1999	5169962940	Hunter & East -York To Stn SD	696,000.00	696,000.00	681,219.35	244,825.42	(230,044.77)	-	133.1%	top asphalt
1999	5169962951	Ferguson-Burlington - Macaule	430,000.00	430,000.00	162,008.69	33,658.32	234,332.99	-	45.5%	complete pending final payment
1999	5169962984	Arbour, Mud, Pritchard	1,081,289.00	1,081,289.00	84,137.20	0.00	997,151.80	-	7.8%	Scope is under review
1999	5169962987	Ferrie-Wellington To Emerald St.	260,000.00	260,000.00	230,593.91	20,830.48	8,575.61	-	96.7%	top asphalt
	SUB-TOTAL		**17,879,289.00**	**17,879,289.00**	**9,801,417.78**	**1,447,546.65**	**6,630,324.57**	**0.00**	**62.9%**	

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WASTEWATER - PLANT/OUTSTATIONS										
WIP PROJECTS										
2000	5160066002	Additional Generator at WWTP	3,500,000.00	3,500,000.00	749.83	27,800.00	3,471,450.17	-	0.8%	Project delayed 2003
2000	5160066005	Arch Upgrades - Admin Lab	200,000.00	200,000.00	110,966.03	66,622.00	22,411.97	-	88.8%	Anticipate 100% spent/committed by year end
2000	5160066006	Process Waste Stream Diversion	710,000.00	710,000.00	0.00	86,984.00	623,016.00	-	12.3%	Anticipate 100% spent/committed by year end
2000	5160066007	Electrical Synchronization	1,000,000.00	1,000,000.00	71,785.86	35,575.00	892,639.14	-	10.7%	50% complete 2002 / 50% complete 2003
2000	5160066008	Pumphouse Ventilation Study	20,000.00	20,000.00	0.00	0.00	20,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2000	5160066009	Primary Clarifier Weir Plates	360,000.00	360,000.00	302,133.49	1,687.57	56,178.94	-	84.4%	Anticipate 100% spent/committed by year end
2000	5160066011	Dundas-Effluent Filter Upgrade	330,000.00	330,000.00	111,548.87	22,644.11	195,807.02	-	40.7%	Anticipate 100% spent/committed by year end
2000	5160066012	Bypass Monitoring Sampling	100,000.00	100,000.00	56,102.39	92,586.00	(48,688.39)	-	148.7%	Project complete pending final payment
2000	5160066015	Equipment Upgrades	544,000.00	544,000.00	220,000.00	0.00	324,000.00	-	40.4%	Anticipate 100% spent/committed by year end
2000	5160067054	SH-4 Replace Donn Ave PS	500,000.00	500,000.00	12,320.34	1,973.82	485,705.84	-	2.9%	Anticipate 100% spent/committed by year end
2001	5160166106	Pump Lifting Device-Pumphouse	95,000.00	95,000.00	0.00	0.00	95,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166108	Replace Main Substation Batteries	60,000.00	60,000.00	0.00	0.00	60,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166109	Upgrade Plant Flow Meter Devices	180,000.00	180,000.00	0.00	23,740.00	156,260.00	-	13.2%	Anticipate 100% spent/committed by year end
2001	5160166110	Sludge Dewater Tank Mixers+B15	10,000.00	10,000.00	0.00	0.00	10,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166112	Sludge Collector Belt Overhaul	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166113	Primary Clarifier Access Bld. Upgrade	25,000.00	25,000.00	0.00	0.00	25,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166116	Dun- Replace Plant B RAS Pmp#3	50,000.00	50,000.00	0.00	0.00	50,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166117	Wtrdwn- Replace A Raw Sludge Pump	75,000.00	75,000.00	0.00	0.00	75,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166118	Wtrdwn- Replace Plant A RAS Pump	15,000.00	15,000.00	0.00	0.00	15,000.00	-	0.0%	Anticipate 100% spent/committed by year end
2001	5160166119	Wtrdwn- Replace B Raw Sludge Pump	15,000.00	15,000.00	5,294.58	0.00	9,705.42	-	35.3%	Anticipate 100% spent/committed by year end
2001	5160166122	Ham Harbour Strategic WQ Plan	400,000.00	400,000.00	27,226.21	23,475.86	349,297.93	-	12.7%	Anticipate 100% spent/committed by year end
1995	5169566501	WWTP - S Secondary Clarifier	2,597,000.00	2,597,000.00	2,381,353.96	5,080.64	210,565.40	-	91.9%	Committed
1997	5169766702	Was Thickening	4,200,000.00	4,200,000.00	4,192,381.60	6,799.37	819.03	-	100.0%	Project complete pending final payment
1997	5169766703	Aeration Retrofit	4,400,000.00	4,400,000.00	4,294,206.52	1,174.39	104,619.09	-	97.6%	Project complete pending final payment
1997	5169766704	Plant Equipment Upgrades	494,000.00	494,000.00	241,208.71	0.00	252,791.29	-	48.8%	Anticipate 100% spent/committed by year end
1997	5169766706	Diesel Bld 7-4160V Breakers	180,000.00	180,000.00	77,250.15	0.00	102,749.85	-	42.9%	Anticipate 100% spent/committed by year end
1997	5169766708	Dundas Operational Improvement	885,000.00	885,000.00	192,607.78	86.73	692,305.49	-	21.8%	Construction 2002 / 2003
1997	5169766709	Waterdown Operational Improve	295,000.00	295,000.00	44,252.59	0.00	250,747.41	-	15.0%	Anticipate 100% spent/committed by year end
1997	5169766710	Dundas Treatment Optimization	120,000.00	120,000.00	80,000.00	0.00	40,000.00	-	66.7%	Anticipate 100% spent/committed by year end
1997	5169767757	Sd-10 Bridlewood-Replace Cont	62,000.00	62,000.00	0.00	0.00	62,000.00	-	0.0%	Anticipate 100% spent/committed by year end
1997	5169767758	Sh-03 Strachan-Replace Pumps	124,000.00	124,000.00	2,636.80	0.00	121,363.20	-	2.1%	Anticipate 100% spent/committed by year end
1998	5169866801	North Secondary Clarifier Upgrade	4,190,000.00	4,190,000.00	3,850,287.33	14,133.32	325,579.35	-	92.2%	Committed
1998	5169867850	Waste Hauler Disposal Facility	1,238,000.00	1,238,000.00	247,692.37	9,515.32	980,792.31	-	20.8%	Anticipate 100% spent/committed by year end
1999	5169966902	Expansion of Prelim Treatment	3,096,000.00	3,096,000.00	2,168,309.88	1,166,385.55	(238,695.43)	-	107.7%	Project complete pending final payment
1999	5169966905	Replace Prim Clarifier Chains	876,000.00	876,000.00	770,086.35	69,115.85	36,797.80	-	95.8%	Project complete pending final payment
1999	5169966906	Digester Gas Distribute Piping	500,000.00	500,000.00	0.00	0.00	500,000.00	-	0.0%	Anticipate 100% spent/committed by year end
1999	5169966908	Main PS Bypass Flow Monitoring	100,000.00	100,000.00	0.00	23,740.00	76,260.00	-	23.7%	Anticipate 100% spent/committed by year end
	SUB-TOTAL		**31,596,000.00**	**31,596,000.00**	**19,460,401.64**	**1,679,119.53**	**10,456,478.83**	**0.00**	**66.9%**	
	TOTAL WIP PROJECTS		**49,475,289.00**	**49,475,289.00**	**29,261,819.42**	**3,126,666.18**	**17,086,803.40**	**0.00**	**65.5%**	

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RATES PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	ABLE ANCE e-a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
WASTEWATER										
DEVELOPMENT										
2000	5160078084	Annual - Oversizing SW	134,000.00		0.00	0.00	134,000.00	134,000.00	0.0%	Development Division is Reviewing
2000	5160080038	Binbrook Service - Eng. & Ins	165,000.00	165,000.00	160,319.85	10,000.00	(5,319.85)	-	103.2%	Development Division is Reviewing
2000	5160080083	Hiawathia to Bluebell Upgrade	279,000.00	279,000.00	0.00	0.00	279,000.00	-	0.0%	Development Division is Reviewing
2001	5160180120	1st-73mNW Niska-5 PS S-D14	690,000.00	684,000.00	0.00	0.00	690,000.00	6,000.00	0.0%	tender fall 2002
2001	5160180121	Riley-#5 to 340m N & Easement	773,000.00	763,013.39	642,149.57	0.00	130,850.43	9,986.61	83.1%	top asphalt
2001	5160180122	ANNUAL - OVERSIZING	272,000.00	0.00	0.00	0.00	272,000.00	272,000.00	0.0%	Development Division is Reviewing
2001	5160180123	Binbrook Infra Expansion	10,123,000.00	0.00	1,013,141.74	69,825.00	9,040,033.26	10,123,000.00	10.7%	Development Division is Reviewing
2001	5160180124	DUN-FLA WWTP Cap Expansion	3,175,000.00	1,463,000.00	14,997.52	0.00	3,160,002.48	1,712,000.00	0.5%	Development Division is Reviewing
2001	5160180125	Hwy 6 Twenty Rd SH18-1315m N	292,000.00	116,000.00	0.00	0.00	292,000.00	176,000.00	0.0%	Project Delayed - MTO approvals
2001	5160180130	Binbrook Agreement Recoveries	1,148,095.00	1,148,095.00	1,148,092.43	0.00	2.57	-	100.0%	Development Division is Reviewing
1998	5169880833	Ma-West 5Th-40M N Of Rymal	1,164,000.00	1,058,267.95	7,283.08	0.00	1,156,716.92	105,732.05	0.6%	Land 2002/construction 2003
1999	5169980965	Shaver Road, Ancaster	175,000.00	175,000.00	0.00	0.00	175,000.00	-	0.0%	Development Division is Reviewing
1999	5169980982	Pumping Station S-H24 Mccollugh	1,050,000.00	955,000.00	1,066,864.91	0.00	(16,864.91)	95,000.00	101.6%	Development Division is Reviewing
1999	5169980983	Ps-S-H28 Hwy 53 - Hamilton Dr	1,602,000.00	1,439,990.00	172,418.25	34,459.74	1,395,122.01	162,010.00	12.9%	tendering end of July
	TOTAL DEVELOPMENT PROJECTS		**21,042,095.00**	**8,246,366.34**	**4,225,267.35**	**114,284.74**	**16,702,542.91**	**12,795,728.66**	**20.6%**	
	TOTAL WASTEWATER INFRASTRUCTURE PROJECTS		**65,516,089.00**	**44,294,089.00**	**14,705,602.64**	**19,420,496.49**	**31,389,989.87**	**21,222,000.00**	**52.1%**	
	TOTAL WASTEWATER PLANT/OUTSTATIONS		**56,064,000.00**	**47,064,000.00**	**25,882,131.50**	**4,112,018.09**	**26,069,850.41**	**9,000,000.00**	**53.5%**	
	TOTAL WASTEWATER		**142,622,184.00**	**99,604,455.34**	**44,813,001.49**	**23,646,799.32**	**74,162,383.19**	**43,017,728.66**	**48.0%**	
	TOTAL RATES CAPITAL PROJECTS		**219,339,184.00**	**169,595,299.94**	**73,410,975.71**	**37,306,007.00**	**108,622,201.29**	**49,743,884.06**	**50.5%**	

Requested Budget Transfers for Water Quality Section
Capital Works Program

Wastewater

From			To		
Account Number	Project Title	Amount	Account Number	Project Title	Reason Funds are Available
5169966901	Primary Clarifier Expansion	$370,542	5169966907	North Aeration System - Railing & Concrete Refurbishment	$7.5M Project Completed, these are remaining funds
5160066004	Annual Operational Improvement	$300,000	5169966907	North Aeration System - Railing & Concrete Refurbishment	Intended to upgrade plant, need funds in one account for proper project execution
5169766705	Refurbish Sluice Gate and Controls	$120,000	5169966907	North Aeration System - Railing & Concrete Refurbishment	Funds no longer required due to Headworks project
5169767754	PCB Disposal	$138,213	5169966907	North Aeration System - Railing & Concrete Refurbishment	Project is complete
5169566507	WWTP - Expansion of Primary Clarifiers	$422,000	5169966907	North Aeration System - Railing & Concrete Refurbishment	$2.6M Project Completed, these are remaining funds
	Total	**$1,350,755**			

Wastewater

From			To		
Account Number	Project Title	Amount	Account Number	Project Title	Reason Funds are Available
5160066014	Plant Bypass/Effluent Screening	$645,971	5169966902	Expansion of Preliminary Treatment	Intended for upgrade plant, need funds in one account for proper project execution
	Total	**$645,971**			

Water

From		Amount	To		
Account Number	Project Title		Account Number	Project Title	Reason Funds are Available
5149966905	Architecture Upgrades to Water Building	$416,609	5140166111	Install Low Profile Underdrains	Intended for upgrade plant, need funds in one account for proper project execution
5149666601	Woodward WTP Roof and Masonary Repair	$366,000	5140166111	Install Low Profile Underdrains	Intended for upgrade plant, need funds in one account for proper project execution
5140166101	Annual - Operational Improvements	$270,600	5140166111	Install Low Profile Underdrains	Intended for upgrade plant, need funds in one account for proper project execution
5149866805	Ceiling Repairs at Filtration Building	$55,000	5140166111	Install Low Profile Underdrains	$500K Project Completed, these are remaining funds
5140166112	Mandated Plant Improvements	$1,000,000	5140166111	Install Low Profile Underdrains	Intended for upgrade plant, need funds in one account for proper project execution
	Total	**$2,108,209**			

Wastewater

From			To		
Account Number	Project Title	Amount	Account Number	Project Title	Reason Funds are Available
5169966901	Primary Clarifier Expansion	$223,588	5169867850	Wastehauler Disposal Facility	$7.5M Project Completed, these are remaining funds
5169967950	Facility Assessments & Upgrades	$280,000	5169867850	Wastehauler Disposal Facility	Intended to upgrade plant, need funds in one account for proper project execution
	Total	$503,588			

Wastewater

From			To		
Account Number	Project Title	Amount	Account Number	Project Title	Reason Funds are Available
5160067052	Annual Operational Improvements - Outstations	$120,000	5160067053	Diesel Tank Assessment & Upgrades	Intended to upgrade outstation facilities, need funds in one account for proper project execution
	Total	$120,000			

Water

From			To		
Account Number	Project Title	Amount	Account Number	Project Title	Reason Funds are Available
5140167[illegible]	Annual Operational Improvements - Outstations	$120,000	5140067054	Diesel Tank Assessment & Upgrades	Intended to upgrade outstation facilities, need funds in one account for proper proje[illegible]ution
	Total	$120,000			

CITY OF HAMILTON
BUDGET VARIANCE REPORT
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JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
TAX SUPPORTED PROGRAM										
TRANSPORTATION, OPERATION & ENVIRONMENT										
ROADS										
		NEW/ANNUALS & MULTI-YEAR PROJECTS								
annual	4030010001	Annual Bridge & Culvert Program	820,000	396,000	320,882	131,941	367,177	424,000	55.2%	anticipate 100% spent/committed by year end
annual	4030010003	Annual Engineering, Utilities	502,000	230,000	335,345	126,293	40,362	272,000	92.0%	anticipate 100% spent/committed by year end
annual	4030010004	Annual Escarpment Stabilization	961,000	450,000	106,679	1,419	852,902	511,000	11.2%	delay due to Claremont & Bicycle Race
annual	4030010005	Annual Major Road Maintenance	1,248,000	700,000	842,828	59,603	345,569	548,000	72.3%	anticipate 100% spent/committed by year end
annual	4030010006	Annual Minor Construction	1,166,000	700,000	804,078	40,643	321,280	466,000	72.4%	anticipate 100% spent/committed by year end
annual	4030010012	Annual Railway Rehabilitation	419,000	214,000	169,220	51,906	197,874	205,000	52.8%	anticipate 100% spent/committed by year end
annual	4030010018	Annual Traffic Const Eng Overhead	250,000	110,600	235,566	0	14,434	139,400	94.2%	anticipate 100% spent/committed by year end
annual	4030011015	Annual Resurfacing Program	16,510,000	1,862,458	1,774,391	7,514,866	7,220,743	14,647,542	56.3%	anticipate 100% spent by year end
annual	4030012011	Annual Preservicing Program	354,000	109,000	0	0	354,000	245,000	0.0%	development driving
annual	4030014008	Annual New Traffic Sig Inst 00	887,000	435,060	142,033	24,824	720,143	451,940	18.8%	anticipate 100% spent by year end
annual	4030014009	Annual Outstanding Land Exprop00	27,000	0	0	0	27,000	27,000	0.0%	anticipate 100% spent/committed by year end
annual	4030014010	Annual Pedestrian Priority Sig	544,000	316,472	95,744	9,200	439,056	227,528	19.3%	anticipate 100% spent by year end
annual	4030014013	Annual Reflectorized Signs Pave	251,000	123,537	8,678	0	242,322	127,463	3.5%	anticipate completion 2003
annual	4030015019	Annual Traffic Controls Rep 00	1,395,000	466,061	574,017	0	820,983	928,939	41.1%	anticipate 100% spent/committed by year end
annual	4030111153	Annual Crack Sealing Program	50,000	50,000	0	0	50,000	0	0.0%	anticipate 100% spent/committed by year end
2001	4030111170	Queen - Main to Amelia	2,270,000	0	85,078	1,397,146	787,776	2,270,000	65.3%	TOE-02-19
annual	4030116102	Annual - Traffic Calming	250,000	212,000	0	0	250,000	38,000	0.0%	anticipate 100% spent/committed by year end
annual	4030117152	Annual Substandard Drainage	200,000	200,000	0	0	200,000	0	0.0%	anticipate 100% spent/committed by year end
annual	4030119101	Annual Roadway & Sidewalk Recon	16,011,000	1,423,790	3,001,836	2,952,790	10,056,374	14,587,210	37.2%	anticipate 100% spent/committed by year end
2001	4030149212	AN Noise Att Wall - Melanie Garden	165,000	135,000	3,913	142,032	19,055	30,000	88.5%	TOE 02-04
2002	4030211222	Annual New Sidewalk Program	250,000	250,000	0	0	250,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030211224	Annual Sidewalk Replacement	375,000	250,000	0	0	375,000	125,000	0.0%	anticipate 100% spent/committed by year end
2002	4030211225	Annual Geotech Investigation	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030212215	U James-Linc-Stone Church-W5th	2,300,000	1,366,000	13,042	2,245,000	41,958	934,000	98.2%	TOE 02-23(HSW)
2002	4030212216	McNeilly Barton to SSR	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030212221	Aberdeen Studholme easterly	40,000	40,000	0	0	40,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030220280	School Reflect Sign Upgrades	200,000	200,000	0	0	200,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030220281	Traffic Calming Studies EA	70,000	70,000	0	0	70,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030249283	Limberlost Noise Berm	186,000	40,000	0	0	186,000	146,000	0.0%	anticipate 100% spent/committed by year end
2002	4030249284	Winona Noise Wall Replace	425,000	130,000	0	0	425,000	295,000	0.0%	anticipate 100% spent/committed by year end
2002	4030249285	Brighton Avenue Noise Wall	55,000	55,000	0	0	55,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030249555	QA-QC Service Contract	150,000	0	9,852	126,111	14,037	150,000	90.6%	anticipate 100% spent/committed by year end
2002	4030255265	GRIDS TOE Related Initiatives	10,000	10,000	0	0	10,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030255268	West Harbour Transport Study	180,000	180,000	0	0	180,000	0	0.0%	anticipate completion 2003
2002	4030255269	Ainslie Woods Transport Study	90,000	90,000	0	0	90,000	0	0.0%	anticipate completion 2003
2002	4030255270	Environ Management System (EMS)	180,000	180,000	0	0	180,000	0	0.0%	Ongoing project

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		ROADS NEW con't								
2002	4030255272	Bridge Master Plan	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	4030255273	Downtown Transit Terminal	75,000	75,000	0	0	75,000	0	0.0%	anticipate completion 2003
2002	4030255274	Comp Transport Master Plan	150,000	150,000	0	37,971	112,029	0	25.3%	anticipate 100% spent by year end
annual	4039117124	Annual Bicycle Route	2,873,995	2,873,995	2,163,015	61,109	649,870	0	77.4%	anticipate 100% spent/committed by year end
annual	4039810893	Annual Streetscaping Program	308,969	120,762	99,857	90,000	119,113	188,207	61.4%	anticipate 100% spent/committed by year end
annual	4039812895	Annual Misc. Land Acquisition	317,062	267,747	122,145	0	194,917	49,315	38.5%	anticipate 100% spent/committed by year end
		TOTAL NEW/ANNUAL & MULTI-YEAR PROJECTS	**52,816,026**	**14,782,482**	**10,908,196**	**15,012,854**	**26,894,976**	**38,033,544**	**49.1%**	
		ROADS - WIP PROJECTS								
2001	4030150208	AN Annual - Road Widening Acqu	17,000	0	0	0	17,000	17,000	0.0%	anticipate 100% spent/committed by year end
1996	4039611619	Sydenham - Bridge to Quarry Rd	1,000,000	0	0	0	1,000,000	1,000,000	0.0%	Design 2002, Construction 2003
2001	4030111207	AN Hamilton Hwy 403 to Wilson	101,000	0	0	0	101,000	101,000	0.0%	development driven, some MA, not scoped
2001	4030110171	SC Lochside - McCollum	250,000	250,000	0	0	250,000	0	0.0%	likely on storm improvements - no urbanization
2001	4030111134	Claremont Hunter to Rosedene	91,000	0	0	0	91,000	91,000	0.0%	part of Toe-02-28
1998	4039812830	Hwy 8 - Hillcrest to Park	51,000	37,000	0	0	51,000	14,000	0.0%	pending EA
2001	4030111257	Upp Well - Concession to Fennell	190,000	190,000	0	0	190,000	0	0.0%	Project Delayed 2004
2001	4030111168	AN Meadowbrook - Jerseyville	20,000	0	0	0	20,000	20,000	0.0%	Project review 2002, construction 2003
2001	4030111210	AN Greenfield Drive	30,000	0	0	0	30,000	30,000	0.0%	Project review 2002, construction 2003
2001	4030112170	SC Mud St - Allanbrook	900,000	100,000	0	0	900,000	800,000	0.0%	Project review 2002, construction 2003
2001	4030113204	AN Springvalley Neighbourhood	50,000	0	0	0	50,000	50,000	0.0%	Project review 2002, construction 2003
2001	4030114147	Ottawa Lawrence Ped Bridge	300,000	300,000	0	0	300,000	0	0.0%	Project review 2002, construction 2003
2001	4030114161	DU Bikeway Paths - Olympic Dr	20,000	20,000	0	0	20,000	0	0.0%	Project review 2002, construction 2003
2001	4030115151	Claremont Access No W5th	200,000	200,000	0	0	200,000	0	0.0%	Project review 2002, construction 2003
2001	4030115166	FL Spot Safety Improvements	20,000	0	0	0	20,000	20,000	0.0%	Project review 2002, construction 2003
2001	4030115242	Jolley Cut - Up Wellington	84,000	84,000	0	0	84,000	0	0.0%	Project review 2002, construction 2003
2001	4030116203	AN Spot Safety Improvements	20,000	0	0	0	20,000	20,000	0.0%	Project review 2002, construction 2003
2001	4030119183	GL Cemetery 56 to Fletchers	150,000	0	0	0	150,000	150,000	0.0%	Project review 2002, construction 2003
2001	4030120167	FL Line Painting Solid Line	22,000	0	0	0	22,000	22,000	0.0%	Project review 2002, construction 2003
2001	4030122108	Owners Share of Locals Res	6,000	0	0	0	6,000	6,000	0.0%	Project review 2002, construction 2003
2001	4030122163	FL Sidewalks - Centre Rd	154,000	154,000	0	0	154,000	0	0.0%	Project review 2002, construction 2003
2001	4030141104	Renovations - Upp Ottawa Yard	90,000	90,000	0	0	90,000	0	0.0%	Project review 2002, construction 2003
2001	4030141160	DU Roof Replacement	80,000	80,000	0	0	80,000	0	0.0%	Project review 2002, construction 2003
2001	4030151106	Water Truck - Traffic Island Program	68,000	68,000	0	0	68,000	0	0.0%	Project review 2002, construction 2003
2001	4030155128	Bridge No 1075 King St	440,000	440,000	0	0	440,000	0	0.0%	Project review 2002, construction 2003
2000	4030010040	Bridge No 1039 - Dundurn St	20,000	0	0	0	20,000	20,000	0.0%	Project review 2002, construction 2003
1999	4039909210	Lake Ave S (King To Maple)	125,000	125,000	0	0	125,000	0	0.0%	Project review 2002, construction 2003
1999	4039912925	Hwy 8 - Dewitt to Fruitland	62,000	14,000	0	0	62,000	48,000	0.0%	Project review 2002, construction 2003
1998	4039810831	Industrial Dr Bridge (#1539) E	99,000	0	0	0	99,000	99,000	0.0%	Project review 2002, construction 2003
2000	4030014043	Fifty Rd & Hwy 8 - Culvert Rec	260,000	0	91	0	259,909	260,000	0.0%	Project review 2002, construction 2003
1999	4039911946	Unspecified Hamilton Projects	731,000	0	1,039	0	729,962	731,000	0.1%	Project review 2002, construction 2003
2000	4030011053	Glover - North & South of CNR	182,000	0	675	0	181,325	182,000	0.4%	Fall Tender
2001	4030111149	Wentworth - King to Barton	250,000	250,000	9,270	0	240,730	0	3.7%	Project Delayed 2004

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		ROADS - WIP PROJECTS Con't								
2001	4030112138	S Mtn Arterial U Paradise	1,125,000	809,000	31,393	22,710	1,070,898	316,000	4.8%	anticipate 100% spent/committed by year end
1999	4039910998	Closed Projects	97,000	5,071	5,908	0	91,092	91,929	6.1%	ongoing - annual
2001	4030103100	Ferguson-Lights & Streetscaping	400,000	400,000	10,332	14,968	374,700	0	6.3%	ongoing
2000	4030011045	Main -Cootes - 403 to Olympic	833,000	0	62,877	0	770,123	833,000	7.5%	Project Delayed 2004
2001	4030111157	Retaining Wall - Mohawk Rd	75,000	0	7,060	1,646	66,294	75,000	11.6%	TOE- Q3-02
1998	4039812835	Stone Church - W of Arbour to E	55,000	7,282	7,282	0	47,718	47,718	13.2%	Project Delayed 2004
2001	4030155130	Bridge No 1534 West 5th	600,000	600,000	67,759	25,804	506,438	0	15.6%	Completion 2002
1998	4039810836	Sydenham Rd Bridge (#3003) N o	439,000	0	12,723	90,879	335,398	439,000	23.6%	Design 2002, Construction 2003
2000	4030011051	Downtown Initiatives - TBD	441,000	0	0	113,203	327,797	441,000	25.7%	ongoing
2001	4030111142	GL Fletcher Binbrook to Kirk	450,000	0	4	135,744	314,252	450,000	30.2%	ongoing
2001	4030103132	James King St to Barton St	700,000	697,544	16,789	227,395	455,816	2,456	34.9%	TOE-02-18
2001	4030118126	Mount Albion Bridge No 1516	200,000	200,000	1,533	74,382	124,085	0	38.0%	EA 2002
2001	4030119180	DU Cairns Cameron to Concord	145,000	145,000	55,183	292	89,525	0	38.3%	Completion 2002
2001	4030111209	AN Maureen Avenue	75,000	0	0	30,000	45,000	75,000	40.0%	complete pending final payment
1998	4039812834	South Mtn Arterial Transportation	176,000	81,753	60,609	28,661	86,730	94,247	50.7%	complete pending final payment
2001	4030109171	SC Mountain S-King to Maple	750,000	750,000	40,372	371,421	338,207	0	54.9%	Late Summer Tender
1997	4039711730	Downtown Transportation Study	621,000	170,970	365,245	6,350	249,404	450,030	59.8%	complete pending final payment
1999	4039910942	Downtown Initiatives	3,332,000	0	2,007,010	86,471	1,238,519	3,332,000	62.8%	ongoing
1991	4039111116	Cootes - Main to City limits	560,000	363,322	363,322	0	196,678	196,678	64.9%	anticipate 100% spent/committed by year end
2001	4030105156	John King St to Barton St	515,000	430,000	2,167	343,010	169,823	85,000	67.0%	anticipate 100% spent/committed by year end
2001	4030111144	GL Hwy 56 Binbrook to Corliss	480,000	0	231,742	92,906	155,352	480,000	67.6%	anticipate 100% spent/committed by year end
2001	4030111202	AN Old Dundas Rd - Part 2	188,000	0	119,184	10,598	58,218	188,000	69.0%	complete pending final payment
1998	4039810896	Downtown Streetscaping Improve	2,034,000	1,391,145	1,452,143	0	581,857	642,855	71.4%	anticipate 100% spent/committed by year end
2000	4030012050	MTO Mid Peninsula Corridor - N	10,000	7,212	7,212	0	2,788	2,788	72.1%	anticipate 100% spent/committed by year end
2001	4030119182	DU Park - Wellington to Bond	270,000	270,000	168,362	27,038	74,600	0	72.4%	complete pending final payment
1999	4039914943	Hwy 56 - Left turn lanes at Be	180,000	0	112,786	17,956	49,258	180,000	72.6%	complete pending final payment
1998	4039811827	Hwy 56 - Guyatt to Binbrook Rd	369,000	280,397	280,397	0	88,603	88,603	76.0%	anticipate 100% spent/committed by year end
1997	4039714731	Downtown Traffic Signal Poles	300,000	232,212	232,212	0	67,788	67,788	77.4%	ongoing
2001	4030111143	FL Hwy 52 Hwy 5 to Governor's	470,000	0	372,402	2,349	95,249	470,000	79.7%	complete pending final payment
2001	4030120160	Upper Ottawa Salt Dome	650,000	650,000	469,533	62,875	117,592	0	81.9%	complete pending final payment
2001	4030111206	AN Jerseyville East of Alberton	250,000	0	199,954	7,473	42,572	250,000	83.0%	anticipate 100% spent/committed by year end
1999	4039914944	York & Locke	153,000	120,510	120,438	8,213	24,349	32,490	84.1%	complete pending final payment
2001	4030111145	King - Bay 160m Breadalbane	386,000	386,000	175,187	150,019	60,794	0	84.3%	anticipate 100% spent/committed by year end
2000	4030010044	King - Rosewood to Parkdale	720,000	626,906	626,906	1,559	91,535	93,094	87.3%	complete pending final payment
2000	4030010041	Bridge No 1147 - York Blvd -	844,000	0	712,246	31,912	99,842	844,000	88.2%	complete pending final payment
1993	4039314321	Golflinks & McNiven Intersection	1,042,000	924,387	925,684	6,530	109,786	117,613	89.5%	complete pending final payment
1999	4039909701	SC Town Square (Jones & King)	3,771,000	2,890,948	3,387,799	11,361	371,840	880,052	90.1%	complete pending final payment
1990	4039012901	Perimeter Rd - EA	987,635	851,622	865,557	29,354	92,724	136,013	90.6%	re-investigating (part of W. Harbourfront Study)
1993	4039312328	Barton - Lake to Grays 93	1,907,000	314,467	1,723,205	28,447	155,347	1,592,533	91.9%	complete pending final payment
1990	4039012002	Perimeter Rd - Property Mtnce	3,060,000	2,471,015	2,746,450	115,263	198,287	588,985	93.5%	anticipate 100% spent/committed by year end
1990	4039012001	Perimeter Rd Land Acquisition	8,967,440	8,407,411	8,407,411	0	560,029	560,029	93.8%	anticipate 100% spent/committed by year end

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YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
	ROADS - WIP PROJECTS Con't									
2000	4030011047	Rymal - Springside to Upper Gage	400,000	4,436	359,708	16,289	24,004	395,564	94.0%	anticipate 100% spent/committed by year end
2001	4030119181	DU Concord Hunter to N End	200,000	200,000	168,535	21,441	10,024	0	95.0%	top asphalt
2000	4030011046	Osler - South St to Governors	410,000	0	393,049	6,384	10,567	410,000	97.4%	complete pending final payment
2000	4030010042	Bridge Asset Management Program	300,000	38,943	168,057	124,542	7,401	261,058	97.5%	complete pending final payment
1999	4039914945	Hamilton & Parkside	751,000	739,691	739,701	1,117	10,182	11,309	98.6%	complete pending final payment
1999	4039910124	Winona Rd (Barton-Hwy#8)	366,000	160,228	23,832	338,616	3,552	205,772	99.0%	TOE 02-02(HSW)
1998	4039810808	James Mountain Rd - Inglewood	1,900,000	1,892,419	1,892,419	596	6,985	7,581	99.6%	complete pending final payment
2001	4030111205	AN Jerseyville Lovers Lane	140,000	0	665	139,000	335	140,000	99.8%	Toe-02-07
1999	4039910926	Bridge No 1146 - York Blvd -	966,000	0	948,163	16,418	1,419	966,000	99.9%	complete pending final payment
2001	4030155155	Traffic Calming Study - Durand	50,000	50,000	47,541	2,939	(480)	0	101.0%	complete pending final payment
2001	4030112139	S Mtn Arterial U Gage	1,800,000	1,800,000	1,013,617	816,617	(30,234)	0	101.7%	anticipate 100% completion by year end
2000	4030014049	Traffic Impact Study - Upper G	40,000	34,998	34,998	6,021	(1,019)	5,002	102.5%	complete pending final payment
2001	4030111148	Claremont Access Structure 2 & 3	200,000	0	178,996	26,324	(5,320)	200,000	102.7%	complete pending final payment
1998	4039812825	Hwy 5 - Hwy 6 to Hamilton	3,032,000	314,614	3,152,585	0	(120,585)	2,717,386	104.0%	complete at year end
1991	4039112120	South Mountain Arterial Constr	2,600,000	1,787,000	2,803,102	52,288	(255,389)	813,000	109.8%	complete pending final payment
1999	4039911924	Hwy 56 - Hwy 53&20 to Guyatt	681,000	301,262	624,516	124,150	(67,666)	379,738	109.9%	anticipate 100% completion by year end
1997	4039714117	Dewitt Rd Slope Stab	500,000	80,000	485,915	0	14,085	420,000	97.2%	anticipate 100% completion by year end
1995	4039517589	Contaminated Sites Manual	85,000	73,198	73,198	76,552	(64,750)	11,802	176.2%	appropriation adjustment required
	TOTAL WIP PROJECTS		**59,132,075**	**34,362,963**	**39,574,049**	**3,946,082**	**15,611,944**	**24,769,112**	**73.6%**	
	ROADS - DEVELOPMENT									
2002	4030212220	Garth Street Oversizing	1,000,000	1,000,000	0	0	1,000,000	0	0.0%	Development Division Reviewing
2002	4030212217	Hamilton Hwy 403 to Hwy 53	492,000	294,000	0	0	492,000	198,000	0.0%	Development Division Reviewing
2002	4030212218	Kitty Murray Hwy 53 to Hwy 53	304,000	304,000	0	0	304,000	0	0.0%	Development Division Reviewing
2002	4030212219	Falcon Fifty to west limit	260,000	260,000	0	0	260,000	0	0.0%	Development Division Reviewing
annual	4030113223	Annual Development Road Urbanization	1,000,000	1,000,000	0	97,093	902,907	0	9.7%	Development Division Reviewing
	TOTAL DEVELOPMENT		**3,056,000**	**2,858,000**	**0**	**97,093**	**2,958,907**	**198,000**	**3.2%**	
	TOTAL ROADS		**115,004,101**	**52,003,445**	**50,482,245**	**19,056,029**	**45,465,827**	**63,000,656**	**60.5%**	

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WASTE MANAGEMENT										
	NEW, ANNUAL & MULTI-YEAR PROJECTS									
2002	5120290122	3 Stream Waste Collection Demo	400,000	0	0	0	400,000	400,000	0.0%	Fall start-up, project runs to Sept '03
2002	5120294139	Annual Capital Repl Dundas TS	25,000	0	0	0	25,000	25,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120294138	Annual Capital Replace Mtn TS	25,000	0	0	0	25,000	25,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120294140	Annual Capital Replace Kenora TS	25,000	0	0	0	25,000	25,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120292125	Assess&Rehab Former Beverly LF	58,000	0	0	0	58,000	58,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120292124	Assess&Rehab Former Dundas LF	108,000	0	0	0	108,000	108,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120292128	Assess&Rehab Former Glanford	59,000	0	0	0	59,000	59,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120292130	Assess&Rehab Former West Ham	125,000	0	0	0	125,000	125,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120294113	Community Recycling Centres	375,000	0	0	0	375,000	375,000	0.0%	Project to be initiated in fall 2002.
2002	5120292127	Gas Flaring Study Up Ott LF	105,000	0	0	0	105,000	105,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120290121	Glanbrook Landfill Roadway Const	53,000	0	0	0	53,000	53,000	0.0%	Delay to '03 due to construction at site
2002	5120291112	Glanbrook Landfill Weigh Scale	200,000	0	0	0	200,000	200,000	0.0%	2002 tender/construction
2002	5120290118	H S W Waste Diversion Pilot	100,000	0	0	0	100,000	100,000	0.0%	Project under review as funding not received
2002	5120290136	Materials Facility Cap Replace	100,000	0	0	0	100,000	100,000	0.0%	Needs analysis in progress
2002	5120290135	Recyc&Litter Container Replace	40,000	0	0	0	40,000	40,000	0.0%	Containers on order
2002	5120292142	Route Optimization Software	150,000	150,000	0	0	150,000	0	0.0%	Initiate in Fall 2002
2002	5120293110	SWARU Carbon Injection Equip	200,000	0	0	0	200,000	200,000	0.0%	2002 tender/construction
2002	5120293111	SWARU Noise Attenuation	300,000	0	0	0	300,000	300,000	0.0%	2002 tender/construction
2002	5120293143	SWARU Site Decommissioning	50,000	0	0	0	50,000	50,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120293109	SWARU Stack Testing	100,000	0	0	0	100,000	100,000	0.0%	Anticipate 100% spent/committed by year end
2002	5120241134	Up Ottawa Centre of Excell	75,000	0	0	0	75,000	75,000	0.0%	Initiate in Fall 2002
2002	5120294115	WM. Master Plan Construction	1,500,000	0	0	0	1,500,000	1,500,000	0.0%	Implementation plan under development
2002	5120255137	WM. Research & Development	100,000	0	0	0	100,000	100,000	0.0%	Summer/Fall 2002
1997	5129792712	Former Edgewood Site - Rehab	1,700,000	20,949	21,509	8,319	1,670,171	1,679,051	1.8%	Delayed pending added study
1998	5129892807	Former Binbrook Site-Rehab	263,000	18,420	18,420	6,700	237,880	244,580	9.6%	Delayed pending added study
2002	5120292141	WM. Abatement Programs LFs	200,000	0	0	26,785	173,215	200,000	13.4%	Anticipate 100% spent/committed by year end
2002	5120290114	Multi Residential Recycling	1,180,000	1,180,000	0	279,960	900,041	0	23.7%	Fall 2002 start-up with spring '03 completion
1997	5129792711	Former Brampton Site - Rehab	12,800,000	3,025,269	2,708,918	1,460,916	8,630,166	9,774,731	32.6%	Anticipate 100% spent/committed by year end
2000	5120055009	Waste Mgmt Master Plan Study	1,192,000	75,108	346,602	15,036	830,362	1,116,892	30.3%	Implementation plan under development
annual	5120093004	Annual - SWARU Cap Mntce	1,445,000	260,600	347,892	148,620	948,488	1,184,400	34.4%	Anticipate 80% spent/committed by year end
1996	5129694616	Computer Sys for SW Facility	444,000	54,272	162,264	8,895	272,841	389,728	38.5%	In progress
2001	5120191111	Glan Landfill Alter Cover Appl	150,000	75,000	90,070	35,130	24,800	75,000	83.5%	Anticipate 100% spent/committed by year end
1999	4149949030	Rennie St Landfill	11,000,000	6,786,000	6,864,562	2,972,894	1,162,544	4,214,000	89.4%	Anticipate 100% spent/committed by year end
	TOTAL - NEW, ANNUAL & MULTI-YEAR PROJECT		**34,647,000**	**11,645,618**	**10,560,237**	**4,963,255**	**19,123,508**	**23,001,382**	**44.8%**	

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		WASTE MANAGEMENT - WIP PROJECTS								
2001	5120194108	Video Surveillance	100,000	0	0	0	100,000	100,000	0.0%	2002 tender/construction
2996	5129692611	Ancaster - Leachate Collection	2,652,000	25,380	72,162	97,420	2,482,418	2,626,620	6.4%	Delayed to 2003 pending added study
1998	5129892810	Former Stoney Crk Site-Rehab	1,576,000	17,246	66,664	101,399	1,407,937	1,558,754	10.7%	Delayed to 2003 pending added study
1995	5129592505	Security Fence-Former Landfill	81,000	26,610	26,610	0	54,390	54,390	32.9%	Anticipate 100% spent/committed by year end
2000	5120093010	SWARU - Flyash Stabilization	400,000	0	89,965	87,854	222,181	400,000	44.5%	Anticipate 100% spent/committed by year end
1999	5129993912	Tipping Floor Repairs At SWARU	169,000	98,897	98,897	0	70,103	70,103	58.5%	2002 tender/construction
1996	5129691600	Landfill Gas Recover-Glanbrook	112,000	65,700	65,700	0	46,300	46,300	58.7%	Delayed to 2003 pending added study
2000	5120092008	Review Re-Assess W Ham Closed	300,000	141,496	247,645	992	51,363	158,504	82.9%	Anticipate 100% spent/committed by year end
1995	5129591503	Comp Environmental Monitoring	257,000	234,794	234,794	0	22,206	22,206	91.4%	Anticipate 100% spent/committed by year end
1999	5129991913	Glanbrook Leachate Improve	5,000,000	251,688	805,906	4,167,127	26,968	4,748,312	99.5%	Does this show overlap of committed and spent?
1998	5129893814	Spray Cooler Tower Repair	912,000	173,280	912,352	9,005	(9,357)	738,720	101.0%	Overspent - Fund from 5120093004
1996	5129691613	Glanbrook - Repair Leachate	4,201,000	1,047,731	4,249,073	0	(48,073)	3,153,269	101.1%	Being reviewed
2000	5120093011	SWARU - Bottom Ash Containment	500,000	0	403,383	127,501	(30,884)	500,000	106.2%	Overspent - Fund from 5120093010 & Close
	TOTAL - WIP PROJECTS		**16,260,000**	**2,082,821**	**7,273,150**	**4,591,297**	**4,395,553**	**14,177,179**	**73.0%**	
	TOTAL - WASTE MANAGEMENT PROJECTS		**50,907,000**	**13,728,439**	**17,833,387**	**9,554,552**	**23,519,061**	**37,178,562**	**53.8%**	
FREEWAY										
1987	4060087007	North-South Holding	500,000	0	40,004	0	459,996	500,000	8.0%	Project delayed by approvals.
1989	4060089005	Const, CN Grade Separation	550,000	0	40,543	47,542	461,915	550,000	16.0%	Project delayed by approvals.
1989	4060089006	Const-Traffic Charges	600,000	0	106,983	0	493,017	600,000	17.8%	Charges Pending for Payment.
1988	4060088002	Environmental Studies	991,000	0	586,816	161,147	243,037	991,000	75.5%	Anticipated to be 100 % spent by year end. Appropriation a
1988	4060088009	Geotech-Brampton To Glencastle	243,000	0	162,083	28,176	52,741	243,000	78.3%	To be carried forward
1989	4060089003	Construction-403 Interchange	19,539,000	600,041	15,478,386	1,632,975	2,427,638	18,938,959	87.6%	Anticipated to be 100 % spent by year end.
1988	4060088006	Design, Mud Street (Parker)	1,435,000	0	1,087,412	196,022	151,566	1,435,000	89.4%	Anticipated to be 100 % spent by year end.
1988	4060088003	EA Exemption Order N-S	4,973,000	0	4,201,720	414,383	356,896	4,973,000	92.8%	Anticipated to be 100 % spent by year end.
1987	4060087006	Signs-MTO	677,000	0	134,575	507,994	34,431	677,000	94.9%	Charges Pending for Payment.
1987	4060087008	Administration Holding Account	11,998,000	8,427,131	11,440,888	0	557,112	3,570,869	95.4%	Holding account, funds transferred as required to specific p
1987	4060087003	Completed Works	137,297,000	0	131,509,583	0	5,787,417	137,297,000	95.8%	Contingency
1989	4060089002	Miscellaneous Construction	1,106,000	45,000	1,063,273	9,130	33,597	1,061,000	97.0%	Contingency
1987	4060087002	Freeway - Property Maintenance	2,669,000	2,427,758	2,592,247	0	76,753	241,242	97.1%	Should be within budget
1987	4060087001	Freeway - Land Purchases	58,768,000	875,178	58,120,861	0	647,139	57,892,822	98.9%	This account may be overspent, some property closings p
1988	4060088005	Design, North-South (Philips)	1,831,000	0	1,679,276	147,248	4,476	1,831,000	99.8%	Anticipated to be 100 % spent by year end.
1989	4060089004	Mud Street Interchange	5,658,000	1,091,323	5,593,177	79,630	(14,807)	4,566,677	100.3%	To be closed.
1988	4060088004	Preliminary Design North-South	397,000	0	397,436	17,219	(17,655)	397,000	104.4%	Funds need to be transferred from holding account to offse
1987	4060087009	Items Not Eligible For Subsidy	5,848,000	0	6,112,387	0	(264,387)	5,848,000	104.5%	Funds need to be transferred from holding account to offse
1987	4060087004	Freeway Capital Holding Acct	10,821,060	234,475,077	11,320,827	0	(499,767)	(223,654,017)	104.6%	Control / Holding Account
1988	4060088011	Studies, Burlington Street IC	173,000	0	108,005	76,700	(11,705)	173,000	106.8%	Anticipated to be 100 % spent by year end.
1988	4060088010	Geo, Glencastle-Pritchrd-403IC	313,000	0	334,442	17,802	(39,244)	313,000	112.5%	Project delayed by approvals.
1988	4060088008	Design,North-Sth (McCormRank)	2,305,000	0	1,759,747	911,545	(366,292)	2,305,000	115.9%	Anticipated to be 100 % spent by year end.
1987	4060087005	Dartnall Rd Monitoring	130,000	0	129,230	21,888	(21,118)	130,000	116.2%	Anticipated to be 100 % spent by year end.
	TOTAL FREEWAY		**268,822,060**	**247,941,507**	**253,999,899**	**4,269,402**	**10,552,758**	**20,880,553**	**96.1%**	

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STORM SEWERS										
	NEW/ANNUALS & MULTI-YEAR PROJECTS									
2002	5180255264	Infra Master Planning Existing	233,000	233,000	0	0	233,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180255265	GRIDS TOE Related Initiatives	10,000	10,000	0	0	10,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180255266	Low Davis SubWatershed Study	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180255267	Up Davis Sub Watershed Study	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180255268	Storm Water Quality Network	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180260269	Stoney Creek Erosion Rehab	360,000	360,000	0	0	360,000	0	0.0%	Delayed to 2003
2002	5180262208	Beach Strip Interceptor	50,000	50,000	0	0	50,000	0	0.0%	Delayed to 2003
2002	5180268218	Greenhill CSO Outfall	250,000		0	0	250,000	250,000	0.0%	TOE - Q1- 02
annual	5180062073	Annual - Field Data Systems SS	90,000	90,000	0	0	90,000	0	0.0%	anticipate 100% spent/committed by year end
annual	5180068077	Annual - Overflow Alarms SS	100,000	100,000	0	0	100,000	0	0.0%	anticipate 100% spent/committed by year end
annual	5180068078	Annual - WQI SS	31,000	31,000	0	0	31,000	0	0.0%	anticipate 100% spent/committed by year end
annual	5180125107	Annual-Municipal Act Program	200,000	200,000	0	0	200,000	0	0.0%	anticipate 100% spent/committed by year end
2002	5180203262	Wellington Cannon to Robert	250,000	250,000	0	6,600	243,400	0	2.6%	Late Summer Tender
annual	5180072074	Annual - Cont Unsched Works SS	2,330,000	2,330,000	51,383	53,083	2,225,534	0	4.5%	anticipate 100% spent/committed by year end
1997	5189768725	Redhill CSO Tanks-Tunnel	410,000	77,000	57,995	0	352,005	333,000	14.1%	Project Delayed 2003
2002	5180272290	Storm Sewer Upgrade Program	2,497,000	2,373,000	0	1,249,308	1,247,692	124,000	50.0%	anticipate 100% spent/committed by year end
annual	5180060071	Annual - Rehabilitation SS	2,749,000	2,749,000	1,291,294	147,153	1,310,553	0	52.3%	anticipate 100% spent/committed by year end
annual	5180061072	Annual - Detailed Engin	206,000	206,000	131,799	10,000	64,201	0	68.8%	anticipate 100% spent/committed by year end
annual	5180061070	Annual - Minor Improvements SS	1,264,000	1,264,000	936,634	63,970	263,396	0	79.2%	anticipate 100% spent/committed by year end
2002	5180249555	QA-QC Service Contract	30,000		5,552	21,745	2,703	30,000	91.0%	anticipate 100% spent/committed by year end
annual	5189855899	Annual-Preliminary Engineer SS	162,000	104,276	111,937	52,615	(2,552)	57,724	101.6%	anticipate 100% spent/committed by year end
	TOTAL NEW/ANNUALS & MULTI-YEAR PROJECTS		**11,522,000**	**10,727,276**	**2,586,593**	**1,604,474**	**7,330,933**	**794,724**	**36.4%**	
	STORM SEWERS - WIP PROJECTS									
2001	5180103109	Ferguson-Cannon to Wilson	145,000	145,000	0	0	145,000	0	0.0%	Fall Tender
2001	5180155192	SC Storm Water Quality Plan	200,000	200,000	0	0	200,000	0	0.0%	Delayed to 2003
2001	5180171195	Winona - Barton to Hwy 8	380,000	348,920	0	0	380,000	31,080	0.0%	close - works under unscheduled contingency
2001	5180174190	SC Drainage CTR B	30,000	30,000	0	0	30,000	0	0.0%	Delayed to 2003
2001	5180174191	SC Watercourse #0 and #00	50,000	50,000	0	0	50,000	0	0.0%	Delayed to 2003
2001	5180174193	SC Watercourse #7	871,000	871,000	0	0	871,000	0	0.0%	Require property purchase
1998	5189825843	MA-Miles-265m S Rymal - 314m	64,000	64,000	0	0	64,000	0	0.0%	Delayed to 2003
1998	5189879824	James Mt Gardens-Ph1 (Ham)	15,000	15,000	0	0	15,000	0	0.0%	Development Division Reviewing
2001	5180103137	Walnut - King to Main	118,000	81,946	650	0	117,350	36,054	0.6%	TOE - 02-01
1998	5189860825	Western San Intercept Rehab SS	156,000	156,000	2,156	0	153,844	0	1.4%	Scope is under review
1999	5189968988	Windermere Basin Dredging	950,000	950,000	14,068	6,842	929,090	0	2.2%	Project under review
2001	5180103136	Rebecca-Hghsn to John & Hghsn	235,000	235,000	0	32,477	202,523	0	13.8%	2003 with Streetscaping
2001	5180162113	Ward-Broadway to Emerson,Royal	540,000	540,000	161,182	11,145	367,673	0	31.9%	top asphalt
2000	5180072086	Britannia-Strathearne-Walter	1,147,000	1,147,000	1,590	441,894	703,515	0	38.7%	TOE-02-15
2001	5180172119	East 14 St - Fennell to Howe	293,000	293,000	734	150,332	141,934	0	51.6%	anticipate 100% spent/committed by year end

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	STORM SEWERS - WIP PROJECTS con't									
1999	5189903956	King-Walnut To 60m W of Mary	157,000	157,000	84,814	0	72,186	0	54.0%	anticipate 100% spent/committed by year end
2001	5180172111	Aberdeen-Bay S to Glouchester	180,000	180,000	122,019	4,955	53,026	0	70.5%	top asphalt
2001	5180162115	Clark-Ferrie to Burton	105,000	105,000	76,087	0	28,913	0	72.5%	anticipate 100% spent/committed by year end
2001	5180162186	Strathearne -Barton to Britan	1,400,000	1,400,000	4	1,188,600	211,396	0	84.9%	anticipate 100% spent/committed by year end
2000	5180072037	Searle - Rosendene to Wycliff	40,000	40,000	33,994	59	5,947	0	85.1%	anticipate 100% spent/committed by year end
2000	5180072043	Blair - Melvin to 53m South	41,000	41,000	35,029	281	5,690	0	86.1%	anticipate 100% spent/committed by year end
2001	5180172131	Elliot-Upp Ken to Toby etc	495,000	488,000	3,575	427,922	63,503	7,000	87.2%	anticipate 100% spent/committed by year end
2000	5180072042	Wildewood-Brentwood-Kingslea	205,000	205,000	178,859	0	26,141	0	87.2%	anticipate 100% spent/committed by year end
2001	5180162138	Ben Lomand-Concession	100,000	100,000	87,436	2,327	10,237	0	89.8%	complete pending final payment
2000	5180072051	Wycliffe - Elcho-60m E and W	107,000	107,000	94,917	2,098	9,984	0	90.7%	anticipate 100% spent/committed by year end
2001	5180162135	Herkimer-MacDonald to Dundurn	250,000	250,000	129,549	97,621	22,831	0	90.9%	top asphalt
2001	5180162116	South St-Beulah to Miles	125,000	125,000	0	113,736	11,264	0	91.0%	complete pending final payment
2000	5180062039	Peter - Queen to Ray	165,000	165,000	141,799	11,030	12,171	0	92.6%	complete pending final payment
2001	5180168112	Greenhill Ave CSO Tank	2,000,000	1,000,000	61,364	1,801,000	137,636	1,000,000	93.1%	TOE 02-05(CSO)
2000	5180062049	Cannon E - Barnsdale-116m W	125,000	125,000	111,292	5,747	7,961	0	93.6%	complete pending final payment
1999	5189962987	Ferrie-Wellington To EmeraldSS	960,000	960,000	833,039	73,854	53,107	0	94.5%	top asphalt
2000	5180072036	Rosendene - Up James-Elcho	210,000	210,000	197,411	4,236	8,353	0	96.0%	top asphalt
2001	5180162128	Victoria-CNR Tracks	455,000	455,000	385,591	52,188	17,220	0	96.2%	complete pending final payment
2000	5180072046	Kings Forest - Broker - Elva	150,000	150,000	144,348	0	5,652	0	96.2%	anticipate 100% spent/committed by year end
1999	5189960959	Aberdeen - 120m W of Studholme	219,000	219,000	205,219	6,368	7,413	0	96.6%	complete pending final payment
1999	5189960999	Closed Storm Project	11,000	11,000	11,189	0	(189)	0	101.7%	ongoing - annual
1999	5189972933	Concession-Up Gage-Up Sherman	906,000	906,000	906,615	15,860	(16,474)	0	101.8%	complete pending final payment
	TOTAL WIP PROJECTS		**13,600,000**	**12,525,866**	**4,024,530**	**4,450,573**	**5,124,897**	**1,074,134**	**62.3%**	
	STORM SEWERS - DEVELOPMENT									
2001	5180118180	Annual-Oversizing 01	316,000	158,000	0	0	316,000	158,000	0.0%	Development Division Reviewing
2002	5180280281	Strmwater Mng Schwenger Park	300,000	30,000	0	0	300,000	270,000	0.0%	Development Division Reviewing
2000	5180025085	MA - W5th-Rymal-Stonechurch	1,440,000	360,000	0	0	1,440,000	1,080,000	0.0%	MA not recommended - development
1999	5189980986	St Elizabeth Detention	300,000	1,917	1,917	0	298,083	298,083	0.6%	Development Division Reviewing
2000	5180080020	Binbrook Vil Strnwater Mgmt Pond	1,533,000	178,019	1,035,535	0	497,465	1,354,981	67.5%	Development Division Reviewing
2000	5180025053	MA-Montgomery Creek Mgmt Proj	1,000,000	1,000,000	1,083,267	16,852	(100,120)	0	110.0%	Development Division Reviewing
	TOTAL DEVELOPMENT PROJECTS		**4,889,000**	**1,727,936**	**2,120,720**	**16,852**	**2,751,428**	**3,161,064**	**43.7%**	
	TOTAL STORM SEWERS		**30,011,000**	**24,981,079**	**8,731,843**	**6,071,899**	**15,207,258**	**5,029,921**	**49.3%**	
TRANSIT										
2002	5300284100	Customer Serv Software Replace	100,000	100,000	0	0	100,000	0	0.0%	Anticipate 100% spent/committed by end of year.
2002	5300284101	Radio Communication	200,000	200,000	0	0	200,000	0	0.0%	Anticipate 100% spent/committed by end of year.
2002	5300284102	Smart Cards System Enhancement	500,000	500,000	0	0	500,000	0	0.0%	Anticipate 50% spent/committed by end of year.
1999	5309284000	Information Systems Maintenance	1,073,400	1,073,400	926,786	0	146,614	0	86.3%	Anticipate 100% spent/committed by end of year.
	TOTAL TRANSIT		**1,873,400**	**1,873,400**	**926,786**	**0**	**946,614**	**0**	**49.5%**	

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FLEET - MANAGEMENT										
	NEW PROJECTS									
2002	4940251102	Garage Equipment	508,000	508,000	0	0	508,000	0	0.0%	Anticipate 100% spent/committed by end of year.
2002	4940251101	Decommission Inground Fuel Sys	225,000	225,000	3,688	0	221,312	0	1.6%	Anticipate 75% spent/committed by end of year.
2002	4940251100	2002 Vehicle Program Central Fleet	8,446,000	8,446,000	2,387	803,545	7,640,069	0	9.5%	Anticipate 75% spent/committed by end of year.
	TOTAL NEW PROJECTS		**9,179,000**	**9,179,000**	**6,075**	**803,545**	**8,369,380**	**0**	**8.8%**	
	WIP PROJECTS									
2001	4940151100	Retrofit Salt Spreader Trucks	300,000	300,000	32,568	51,399	216,033	0	28.0%	Anticipate 100% spent/committed by end of year.
2000	4940051001	2000 Vehicle Replacement Program	2,416,000	2,416,000	1,661,687	365,207	389,107	0	83.9%	Anticipate 95% spent/committed by end of year.
1997	4949751023	1997 Vehicle Replacement Program	2,456,000	1,831,914	1,831,914	391,935	232,151	624,086	90.5%	Anticipate 99% spent/committed by end of year.
2001	4940151001	2001 Vehicle Replacement Program	7,064,000	7,064,000	2,379,672	4,169,291	515,037	0	92.7%	Anticipate 95% spent/committed by end of year.
1996	4949651019	1996 Vehicle Replacement Program	2,945,000	2,105,556	2,387,273	424,103	133,624	839,444	95.5%	Anticipate 100% spent/committed by end of year.
1999	4949955039	Drive Clean Program	95,000	95,000	91,956	0	3,044	0	96.8%	Anticipate 100% spent/committed by end of year.
1998	4949851037	1998 Vehicle Replacement Program	2,268,000	2,186,927	2,201,872	57,923	8,205	81,073	99.6%	Anticipate 100% spent/committed by end of year.
1999	4949951039	1999 Vehicle Replacement Program	2,345,000	2,345,000	2,302,543	160,392	(117,935)	0	105.0%	Complete
	TOTAL WIP PROJECTS		**19,889,000**	**18,344,397**	**12,889,485**	**5,620,250**	**1,379,265**	**1,544,603**	**93.1%**	
	TOTAL FLEET - NON TRANSIT		**29,068,000**	**27,523,397**	**12,895,560**	**6,423,795**	**9,748,645**	**1,544,603**	**66.5%**	
TRANSIT - FLEET										
2002	5300283101	2002 Transit Vehicle Program	5,100,000	5,100,000	0	0	5,100,000	0	0.0%	Anticipate 100% spent/committed by end of year.
2000	5309183000	2000 Transit Vehicle Program	19,471,900	19,471,900	19,512,658	277,316	(318,074)	0	101.6%	Complete
2001	5300183000	2001 Transit Vehicle Program	6,500,000	4,500,000	104,335	6,829,355	(433,690)	2,000,000	106.7%	Complete
	TOTAL TRANSIT FLEET PROJECTS		**31,071,900**	**29,071,900**	**19,616,993**	**7,106,671**	**4,348,236**	**2,000,000**	**86.0%**	
	TOTAL FLEET		**60,139,900**	**56,595,297**	**32,512,553**	**13,530,466**	**14,096,881**	**3,544,603**	**76.6%**	
TOTAL TRANSPORTATION, OPERATION & ENVIRONMENT			**526,757,461**	**397,123,167**	**364,486,714**	**52,482,348**	**109,788,399**	**129,634,295**	**79.2%**	

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COMMUNITY SERVICES										
LIBRARY DIVISION										
1998	3909841650	SC Saltfleet Public Library	460,000	120,000	459,104	0	896	340,000	99.8%	Project complete - annual entries required
2002	7500241100	Central Library Carpet Replace	150,000	150,000	0	0	150,000	0	0.0%	2002 approved project - no variance expected.
2000	3100041302	AN Library	238,000	238,000	0	0	238,000	0	0.0%	In progress - no variance expected
	TOTAL LIBRARY DIVISION		**848,000**	**508,000**	**459,104**	**0**	**388,896**	**340,000**	**54.1%**	
PARKS DIVISION										
Parks Admin Program										
2002	4400206102	Discovery Centre Streetscaping	750,000	500,000	0	0	750,000	250,000	0.0%	2002 approved project - no variance expected.
2002	4400241108	Sports Park Field Houses	175,000	175,000	0	0	175,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249109	GL Homestead Brackets for Lgts	30,000	30,000	0	0	30,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249110	DU Martino Mem Netting Fencing	10,000	10,000	0	0	10,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249111	FL Tennis Cts Sealey and Carl	25,000	25,000	0	0	25,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249112	Victoria Park Backstop Replace	40,000	40,000	0	0	40,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249113	FL Gateway Sign Remove	12,000	12,000	0	0	12,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249114	Harbour West Marina Breakwall	90,000	90,000	0	0	90,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249115	Eastwood Pk Baseball Infield	30,000	30,000	0	0	30,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249116	Buchanan Pk Replace Backstop	15,000	15,000	0	0	15,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249117	Gage Pk Backstops and Fencing	30,000	30,000	0	0	30,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249118	Sam Lawrence Park Renovations	50,000	50,000	0	0	50,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249119	Alexander Pk Backstop 2	15,000	15,000	0	0	15,000	0	0.0%	2002 approved project - no variance expected.
2002	4400249120	FL Sheffield Pk Rep Backstops	15,000	15,000	0	0	15,000	0	0.0%	2002 approved project - no variance expected.
2002	4400252101	Playground Retrofit Various Pk	400,000	400,000	0	0	400,000	0	0.0%	2002 approved project - no variance expected.
2002	4400252108	Community Playgrounds Development	151,000	151,000	0	0	151,000	0	0.0%	2002 approved project - no variance expected.
2002	4400256100	Billy Sherring Pk Soccer Fields	500,000	500,000	0	0	500,000	0	0.0%	2002 approved project - no variance expected.
2002	4400256103	SC Heritage Grn Com Sports Pk	3,000,000	3,000,000	0	4,980	2,995,020	0	0.2%	2002 approved project - no variance expected.
2002	4400256104	AN Shaver Estates Pk Develop	615,000	615,000	0	0	615,000	0	0.0%	2002 approved project - no variance expected.
2002	4400256105	H & B Warden Pk Creek Realign	28,000	28,000	0	0	28,000	0	0.0%	2002 approved project - no variance expected.
2002	4400256106	AN James Smith Pk Development	525,000	525,000	0	0	525,000	0	0.0%	2002 approved project - no variance expected.
2002	4400256107	SC Whitedeer Pk Dv School Bd	99,000	99,000	0	0	99,000	0	0.0%	2002 approved project - no variance expected.
2001	4400103020	Plastimet Site Redevelopment	160,000	160,000	0	0	160,000	0	0.0%	In progress - no variance expected - entries req'd
2001	4400106100	Ham Beach Recreation Trail Development	2,057,000	0	0	0	2,057,000	2,057,000	0.0%	On hold - Superbuild funding not realized
2001	4400106101	Waterfront Trail Ext. Pier 4 to 8	867,000	0	0	0	867,000	867,000	0.0%	On hold - Superbuild funding not realized
2001	4400149102	Windemere Basin	1,155,000	0	22	0	1,154,978	1,155,000	0.0%	On hold - Superbuild funding not realized
2001	4400149103	Dieppe Memorial Park	231,000	0	0	0	231,000	231,000	0.0%	On hold - Superbuild funding not realized
2001	4400149107	SC Various Parking Lots-Paving	59,000	59,000	1,030	0	57,970	0	1.7%	In progress - no variance expected
2001	4400149111	DU Parks Irrigation System	25,000	25,000	1,250	0	23,750	0	5.0%	In progress - no variance expected

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Parks Admin Program con't										
2001	4400150001	Park Development & Redevelop	600,000	600,000	29,002	90,676	480,323	0	19.9%	In progress - no variance expected
2001	4400150105	SC Parkland Purch-Annual Program	200,000	200,000	47,895	0	152,105	0	23.9%	In progress - no variance expected
2001	4400150108	SC Waterfront Parkland Acqu	50,000	50,000	2,500	0	47,500	0	5.0%	In progress - no variance expected
2001	4400150112	FL Courtcliffe Pk Development	70,000	70,000	15,651	5,300	49,049	0	29.9%	In progress - no variance expected
2001	4400150113	FL New Leisure Park	20,000	20,000	45,121	39,252	(64,373)	0	421.9%	In progress - no variance expected - entries req'd
2001	4400150114	GL Kopperfield Playground	85,000	85,000	0	33,580	51,420	0	39.5%	In progress - no variance expected
2001	4400152002	Playstructure Redevelopment	300,000	281,000	53,127	105,507	141,366	19,000	52.9%	In progress - no variance expected
2001	4400152003	AN Playground App Replace	60,000	60,000	49,099	138	10,763	0	82.1%	In progress - no variance expected
2001	4400156100	Additional Bocce Facilities	226,000	226,000	33,220	8,430	184,350	0	18.4%	In progress - no variance expected
2001	4400156104	SC Park Development-Annual Program	168,000	168,000	76,462	10,000	81,538	0	51.5%	In progress - no variance expected
2001	4400156106	SC Winona Park	20,000	20,000	2,494	0	17,507	0	12.5%	In progress - no variance expected
2001	4400156109	SC Battlefield Master Plan	405,000	360,470	29,813	0	375,187	44,530	7.4%	In progress - no variance expected
2000	4400052001	Playstructure Redevelopment	350,000	310,000	313,286	21,587	15,127	40,000	95.7%	In progress - no variance expected
2000	4400052002	Park Development and Redev	600,000	600,000	524,100	9,776	66,125	0	89.0%	In progress - no variance expected
2000	4400054001	Red Valley - Master Plan	600,000	600,000	329,357	56,340	214,303	0	64.3%	In progress - no variance expected
1999	4409941076	Washrooms Sun Shelter-Gilkson	133,000	10,000	172	0	132,828	123,000	0.1%	In progress - no variance expected
1999	4409949033	Water Spray Pad at Gage Park	15,000	15,000	0	0	15,000	0	0.0%	In progress - no variance expected
1999	4409954042	Red Hill Valley-Recreation & O	807,000	807,000	233,186	37,000	536,814	0	33.5%	In progress - no variance expected
1999	4409954044	1999 Park Development &	600,000	450,000	450,719	0	149,281	150,000	75.1%	In progress - no variance expected
1999	4409954070	SC Jackson House	1,418,000	974,158	795,222	202,694	420,084	443,842	70.4%	In progress - no variance expected
1999	4409854041	Red Hill Valley-Rec Open Space	600,000	600,000	275,024	17,525	307,451	0	48.8%	In progress - no variance expected
2001	4409254005	T B McQueston Park	2,115,530	2,034,859	2,032,490	0	83,040	80,671	96.1%	In progress - no variance expected
2001	4408954002	Sam Lawrence Park Upgrading	1,969,100	1,826,400	1,413,935	1,593	553,572	142,700	71.9%	In progress - no variance expected
	TOTAL		**22,570,630**	**16,966,887**	**6,754,174**	**644,378**	**15,172,079**	**5,603,743**	**32.8%**	
Parks Development Program										
2001	4400156001	Rosedale Pk-New Bocce Courts	584,000	564,000	59,364	425,066	99,570	20,000	83.0%	In progress - no variance expected
2000	4400056311	AN Meadowlands Park	284,000	284,000	13,561	0	270,439	0	4.8%	In progress - no variance expected
2000	4400056316	AN Peace Park	53,500	53,500	14,871	0	38,629	0	27.8%	In progress - no variance expected
2000	4480050046	Park Development (Various)	87,000	87,000	48,593	0	38,407	0	55.9%	In progress - no variance expected
1998	4489956067	SC Fifty Pt Neighbourhood Park	746,810	746,810	0	0	746,810	0	0.0%	In progress - no variance expected
1998	4489956069	SC Waterfront Park Development	195,000	195,000	3,156	0	191,844	0	1.6%	In progress - no variance expected
1998	4489856065	SC Highland Stage #2	266,900	266,900	200,262	36,600	30,038	0	88.7%	In progress - no variance expected
	TOTAL		**2,217,210**	**2,197,210**	**339,806**	**461,666**	**1,415,738**	**20,000**	**36.1%**	
Waterfront Program										
1997	4509755037	Downtown Phase-Ferg Mast Plan	780,000	780,000	455,406	6,000	318,594	0	59.2%	In progress - no variance expected
	TOTAL		**780,000**	**780,000**	**455,406**	**6,000**	**318,594**	**0**	**59.2%**	

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YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
Community Renewal Program										
1994	4529405001	Crown Point E-Mcanulty-Phase1	430,000	400,000	403,643	0	26,357	30,000	93.9%	Expect 100% by year end
1991	4529102003	Central Beasley-House	1,440,000	1,409,025	1,409,025	2,520	28,455	30,975	98.0%	Expect 100% by year end
	TOTAL		**1,870,000**	**1,809,025**	**1,812,668**	**2,520**	**54,812**	**60,975**	97.1%	
Cemetery Program										
2000	4920049600	GL New Cemetery	300,000	300,000	293,691	0	6,309	0	97.9%	In progress - no variance expected
	TOTAL		**300,000**	**300,000**	**293,691**	**0**	**6,309**	**0**	**97.9%**	
	TOTAL PARKS DIVISION		**27,737,840**	**22,053,122**	**9,655,745**	**1,114,564**	**16,967,531**	**5,684,718**	**38.8%**	
CULTURE & RECREATION DIVISION										
Culture & Recreation Program										
2000	7090054008	SC Valley Park Community Ctr	795,000	795,000	189,049	0	605,951	0	23.8%	In progress - no variance expected
1999	7099958001	AN Tisdale House	125,000	125,000	90,147	7,136	27,717	0	77.8%	In progress - no variance expected
1998	7099854130	FL Flamborough YMCA	4,940,981	3,771,990	4,363,970	280,374	296,637	1,168,991	94.0%	In progress - no variance expected
	TOTAL		**5,860,981**	**4,691,990**	**4,643,166**	**287,510**	**930,305**	**1,168,991**	**84.1%**	
Recreation Program										
2002	7060203100	Streetscaping-Pre Const Costs	270,000	270,000	47,335	222,188	477	0	99.8%	In progress - no variance expected
2002	7100241103	Dundas Arena Replace Floor	500,000	500,000	0	0	500,000	0	0.0%	2002 approved project - no variance expected.
2002	7100241105	Hamilton Walker Outdoor Pool	1,100,000	1,100,000	0	0	1,100,000	0	0.0%	2002 approved project - no variance expected.
2002	7100249100	Purchase Benetto School	500,000	500,000	0	0	500,000	0	0.0%	2002 approved project - no variance expected.
2002	7100249104	Hamilton East Kiwanis	2,700,000	1,460,000	0	0	2,700,000	1,240,000	0.0%	2002 approved project - no variance expected.
2002	7100257101	CLASS System Update	390,000	390,000	0	0	390,000	0	0.0%	2002 approved project - no variance expected.
2002	7100257102	Digitization Project Museums	378,000	92,000	0	0	378,000	286,000	0.0%	2002 approved project - no variance expected.
2002	7100258106	Dundurn Castle Landscape Restore	1,600,000	787,000	0	0	1,600,000	813,000	0.0%	2002 approved project - no variance expected.
2001	7100141100	Parkdale Pool Renovations	20,000	20,000	0	0	20,000	0	0.0%	In progress - no variance expected
2000	7100041003	Kiwanis Building-Cap Improve	300,000	300,000	150,300	53,460	96,240	0	67.9%	In progress - no variance expected
2000	7100054003	Multi-pad Arena-Mohawk Sports	38,000	0	26,705	10,856	440	38,000	98.8%	In progress - no variance expected
1999	7109941066	Riverdale Recreation & Seniors	4,738,000	300,000	4,129,737	316,782	291,481	4,438,000	93.8%	In progress - no variance expected
1999	7109941074	Whitehern Stable Bldg.-Barrier	72,000	72,000	0	0	72,000	0	0.0%	In progress - no variance expected
1999	7109955040	Asset Management - Recreation	2,575,000	2,252,682	2,509,547	29,258	36,195	322,318	98.6%	In progress - no variance expected
1999	7109955042	Risk Man-Various Facility 99	360,000	360,000	249,142	22,263	88,595	0	75.4%	In progress - no variance expected
1999	7109741048	Children's' Museum-Improvements	75,000	75,000	62,129	0	12,871	0	82.8%	In progress - no variance expected
1999	7109753031	War Of 1812 Trail Tourist Book	15,000	15,000	0	0	15,000	0	0.0%	In progress - no variance expected
1999	7109755035	Public Art Program	35,000	35,000	10,133	0	24,867	0	29.0%	In progress - no variance expected
1998	7108804002	Hamilton-Scourge Lab Fac Equip	154,000	154,000	118,877	0	35,123	0	77.2%	In progress - no variance expected
	TOTAL		**15,820,000**	**8,682,682**	**7,303,906**	**654,806**	**7,861,288**	**7,137,318**	50.3%	
	TOTAL CULTURE & RECREATION DIVISION		**21,680,981**	**13,374,672**	**11,947,072**	**942,316**	**8,791,593**	**8,306,309**	59.5%	

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EMERGENCY SERVICES DIVISION

Fire Program

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
2002	7400241105	Station 1 Renovations	3,500,000	500,000	0	0	3,500,000	3,000,000	0.0%	2002 approved project - no variance expected.
2002	7400251102	Replace Clothing & Fire Equip	591,000	591,000	0	0	591,000	0	0.0%	2002 approved project - no variance expected.
2002	7400251104	Fire Vehicle Replacement	238,000	238,000	0	0	238,000	0	0.0%	2002 approved project - no variance expected.
2002	7400251106	CAD Upgrade C S Police	60,000	60,000	0	0	60,000	0	0.0%	2002 approved project - no variance expected.
2001	7400141010	Station # 1 - Larger Facility	1,500,000	0	177,972	239,753	1,082,275	1,500,000	27.8%	In progress - no variance expected
2001	7400141020	Ancaster Fire Station #21	85,000	85,000	(44,041)	82,199	46,842	0	44.9%	In progress - no variance expected
2001	7400151020	Fire Vehicle Replacement 01	3,430,000	1,588,990	0	2,492,754	937,246	1,841,010	72.7%	In progress - no variance expected
2000	7400041002	Provision for Ambul at Fire Stations	750,000	750,000	810,732	127,584	(188,316)	0	125.1%	In progress - no variance expected - entries req'd
2000	7400041003	Fire Station Doors	115,000	115,000	79,061	0	35,939	0	68.7%	In progress - no variance expected - entries req'd
2000	7400041005	Facilities Capital Conserve Program	68,100	68,083	0	0	68,100	17	0.0%	In progress - no variance expected - entries req'd
2000	7400041021	New Stn #9 Design & Construct	2,370,000	370,000	2,141,312	132,673	96,015	2,000,000	95.9%	In progress - no variance expected - entries req'd
2000	7400041022	New Stn #10 Design & Construct	1,750,000	0	1,808,050	7,992	(66,042)	1,750,000	103.8%	In progress - no variance expected - entries req'd
2000	7400041023	Stn #1 - Renovate & Refurb	500,000	0	500,098	0	(98)	500,000	100.0%	In progress - no variance expected - entries req'd
2000	7400041024	Diesel Fume Removal	250,000	0	257,740	11,947	(19,687)	250,000	107.9%	In progress - no variance expected - entries req'd
2000	7400041601	GL New Fire Hall - Binbrook	328,000	328,000	336,567	3,155	(11,722)	0	103.6%	In progress - no variance expected - entries req'd
2000	7400051001	Fire Veh Apparatus Replace 00	3,515,300	3,515,300	2,744,965	274,966	495,369	0	85.9%	In progress - no variance expected
2000	7400051019	Fire Suppression Pond	42,500	42,500	0	0	42,500	0	0.0%	In progress - no variance expected - entries req'd
2000	7400051025	Furnishings & Workstations	150,000	0	142,083	0	7,917	150,000	94.7%	In progress - no variance expected - entries req'd
2000	7400051026	Business Plan - Equip Purchase	646,000	646,000	670,943	40,757	(65,700)	0	110.2%	In progress - no variance expected - entries req'd
1999	7409941075	Fire Department Business Plan	118,000	0	38,687	77,834	1,479	118,000	98.7%	In progress - no variance expected - entries req'd
1999	7409951042	FL Fire Communication System	102,650	102,650	0	0	102,650	0	0.0%	In progress - no variance expected
2001	7409151003	Computer Aided Dispatch	1,300,000	1,300,000	790,227	0	509,773	0	60.8%	In progress - no variance expected
	TOTAL		**21,409,550**	**10,300,523**	**10,454,396**	**3,491,615**	**7,463,539**	**11,109,027**	**65.1%**	

Trunk Communication System Program

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
2001	7620151040	Radio Trunking System Improve	1,016,000	1,016,000	720,089	20,614	275,297	0	72.9%	In progress - no variance expected
2001	7640151004	Land Ambul Comp Patient Data	125,000	0	0	0	125,000	125,000	0.0%	On hold - technology issues
2001	7640151100	Land Ambulance Defib Replace	114,000	0	20,895	0	93,105	114,000	18.3%	In progress - no variance expected
2001	7640151101	Ambulance Vehicle Replacement	1,069,070	1,069,070	727,554	125,716	215,800	0	79.8%	In progress - no variance expected
2001	7640157102	Provision for Amb Stations-Anc&SW Mt	845,000	448,676	0	0	845,000	396,324	0.0%	In progress - no variance expected - entries req'd
	TOTAL		**3,169,070**	**2,533,746**	**1,468,538**	**146,329**	**1,554,203**	**635,324**	**51.0%**	

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YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
Ambulance Program										
2002	7640241107	Mount Hope Station Renovations	100,000	50,000	0	0	100,000	50,000	0.0%	2002 approved project - no variance expected.
2002	7640251100	Ambulance Replace Vehicles	390,000	195,000	0	0	390,000	195,000	0.0%	2002 approved project - no variance expected.
2002	7640251101	Ambulance Replace Defibs	210,000	210,000	0	0	210,000	0	0.0%	2002 approved project - no variance expected.
2002	7640251103	Automatic Vehicle Locator	90,000	45,000	0	0	90,000	45,000	0.0%	2002 approved project - no variance expected.
2000	7640051001	Land Ambulance Defib Replace	296,000	191,738	191,737	0	104,263	104,262	64.8%	In progress - no variance expected
2000	7640051002	Ambulance Vehicle Replacement	421,000	421,000	459,694	0	(38,694)	0	109.2%	In progress - no variance expected - entries req'd
2000	7640051003	Land Ambul Comp Patient Data	395,000	3,880	66,745	0	328,255	391,120	16.9%	On hold - technology issues
2000	7640051004	Provisions For Amb Stations	875,000	745,877	697,578	45,268	132,154	129,123	84.9%	In progress - no variance expected - entries req'd
	TOTAL		**2,777,000**	**1,862,495**	**1,415,754**	**45,268**	**1,315,978**	**914,505**	**52.6%**	
	TOTAL EMERGENCY SERVICES DIVISION		**27,355,620**	**14,696,764**	**13,338,688**	**3,683,212**	**10,333,720**	**12,658,856**	**62.2%**	
CORPORATE BUILDINGS DIVISION										
Facility Operations & Maintenance Program										
2002	3540241100	CUP Cooling Tower Recondition	120,000	94,000	0	0	120,000	26,000	0.0%	2002 approved project - no variance expected.
2002	3540241101	Forecourt Temp Landscaping	125,000	125,000	0	0	125,000	0	0.0%	2002 approved project - no variance expected.
2002	3540241102	Asbestos Management Program	150,000	150,000	0	0	150,000	0	0.0%	2002 approved project - no variance expected.
2002	3540241103	Mech. Refrig Rms. Code Comply	120,000	120,000	0	0	120,000	0	0.0%	2002 approved project - no variance expected.
2002	3540241104	Roof Replacement Program 2002	300,000	300,000	0	0	300,000	0	0.0%	2002 approved project - no variance expected.
2001	3540141010	Library Move to SC City Hall	100,000	100,000	54,892	32,145	12,963	0	87.0%	In progress - no variance expected
2001	3540141100	City Hall Retrofit	5,375,000	3,875,000	103,484	65,896	5,205,620	1,500,000	3.2%	In progress - no variance expected
2001	3540141101	EOC Realloc-Part Of Retro Fit	7,200	0	7,169	0	31	7,200	99.6%	In progress - no variance expected
2001	3540155020	Facilities Mtnce & Renovations	500,000	500,000	97,526	0	402,474	0	19.5%	In progress - no variance expected
2000	3540041003	Roof Mgmt-Facilities	285,000	0	6,618	0	278,382	285,000	2.3%	In progress - no variance expected
2000	3540041125	Facilities Conserve Prog-Transp	91,610	91,605	0	0	91,610	5	0.0%	In progress - no variance expected - entries req'd
2000	3540041505	Facilities Capital Conserve Pr	40,300	40,293	0	0	40,300	7	0.0%	In progress - no variance expected - entries req'd
2000	3540050900	City Owned property's-Appraise	216,900	216,883	334	0	216,566	17	0.2%	In progress - no variance expected - entries req'd
2000	3540055003	Ham City Hall Improve-Audit	130,000	130,000	83,173	33,400	13,427	0	89.7%	In progress - no variance expected
1999	3459951004	Facilities-Wentworth Lodge	568,000	14,385	25,579	0	542,421	553,615	4.5%	In progress - no variance expected
1999	3549941073	West Ave School-Retrofit Healing	50,000	0	30,275	0	19,725	50,000	60.5%	In progress - no variance expected
1999	3549741039	125 Barton-Embankment Stabilize	275,000	275,000	258,230	3,726	13,043	0	95.3%	DO NOT CLOSE. Expect 100% by year end
	TOTAL		**8,454,010**	**6,032,166**	**667,279**	**135,168**	**7,651,563**	**2,421,844**		
Facilities - Hamilton Wentworth Regional Police Program										
1999	3769951001	Mtn Police Stn - Design Study	11,000,000	90,000	336,338	7,901	10,655,761	10,910,000	3.1%	In progress - no variance expected.
	TOTAL		**11,000,000**	**90,000**	**336,338**	**7,901**	**10,655,761**	**10,910,000**	**3.1%**	

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Facilities - Social & Public Health Services Program										
2000	6000051001	Wen Lodge Recon - Phase II-IV	20,410,000	650,000	51,316	143,200	20,215,484	19,760,000	1.0%	In progress - no variance expected
1997	6009751001	Macassa Lodge-Ph 3&4 Renovate	21,967,650	21,967,650	21,444,336	390,696	132,618	0	99.4%	In progress - no variance expected
	TOTAL		**42,377,650**	**22,617,650**	**21,495,652**	**533,896**	**20,348,102**	**19,760,000**	**52.0%**	
Facilities - Roads Maintenance Program										
2000	4140003002	Downtown Linkages & Waterfront	350,000	350,000	114,565	115,452	119,983	0	65.7%	In progress - no variance expected
2000	4140003003	Ferguson Ave-Pedestrian Bike Lane	1,001,000	1,001,000	499,542	445,466	55,992	0	94.4%	In progress - no variance expected
2000	4140003004	Restore the Core	187,000	187,000	67,993	63,019	55,987	0	70.1%	In progress - no variance expected
	TOTAL		**1,538,000**	**1,538,000**	**682,100**	**623,937**	**231,963**	**0**	**84.9%**	
	TOTAL CORPORATE BUILDINGS DIVISION		**63,369,660**	**30,277,816**	**23,181,370**	**1,300,902**	**38,887,388**	**33,091,844**	**38.6%**	
TOTAL COMMUNITY SERVICES			**140,992,101**	**80,910,373**	**58,581,979**	**7,040,994**	**75,369,128**	**60,081,728**	**46.5%**	
CORPOARATE SERVICES										
Parking Services										
1999	4909945022	Paving and Retrofit of Carparks	200,000	200,000	177,316	3,262	19,422	0	90.3%	To Be Expended in 2002
1999	4909945023	Carpark #37 & #68 Retrofit	80,000	80,000	10,922	1,896	67,182	0	16.0%	To Be Expended in 2002
1999	4909909202	SC Downtown Offstreet Parking	135,000	135,000	98,426	0	36,574	0	72.9%	To Be Expended in 2002
2001	4900151001	Parking Offices Summers Lane	650,000	0	70,259	398,477	181,264	650,000	72.1%	To Be Expended in 2002
2002	4900251101	Electronic Parking Meter Replacement & Expansior	80,000	80,000	0	0	80,000	0	0.0%	To Be Expended in 2002
2002	4900245100	Paving of Municipal Carparks	25,000	25,000	0	0	25,000	0	0.0%	To Be Expended in 2002
	TOTAL		**1,170,000**	**520,000**	**356,923**	**403,634**	**409,442**	**650,000**	**65.0%**	
Economic Development										
2001	3620155101	Brownfields-ERASE-Env Study	130,000	130,000	3,454	0	126,546	0	2.7%	This program is just getting started.
2001	3620155102	Brownfields - Pilot Project	500,000	0	617	0	499,383	500,000	0.1%	This program is just getting started.
2001	3620155103	GRIDS Study	150,000	150,000	73,004	65,840	11,156	0	92.6%	To be completed this year
2001	3620155104	Industrial Business Pk Reveiw	350,000	350,000	20,867	178,457	150,677	0	56.9%	To be completed this year
	TOTAL		**1,130,000**	**630,000**	**97,941**	**244,297**	**787,762**	**500,000**	**30.3%**	
Industrial Parks										
1990	3629007001	Dundas Industrial Park-Phase 1	49,000	48,890	2,089	0	46,911	110	4.3%	Complete
1990	3629007002	Ancaster Industrial Park-Ph 2A	5,701,664	5,971,112	5,771,036	0	(69,372)	(269,448)	101.2%	Sold Out
1990	3629007003	Ancaster Industrial park-Ph 2B	1,076,393	1,017,855	1,066,220	0	10,173	58,538	99.1%	Sold Out
1990	3629007004	Hamilton Mtn Industrial Park A	6,366,206	6,782,516	6,297,316	0	68,890	(416,310)	98.9%	Sold Out
1990	3629007054	Ancaster Industrial Park-Phase	2,154,921	178,599	2,399,763	0	(244,843)	1,976,322	111.4%	Still Active
1991	3629107006	Development Partnership Fund	500,000	109,942	561,855	0	(61,855)	390,058	112.4%	Dormant
1991	3629107007	Park Preparation	620,000	188,007	675,071	28,895	(83,966)	431,993	113.5%	Ongoing Park Maintenance
1991	3629107008	TechPark	7,479,898	2,429,250	8,398,738	0	(918,840)	5,050,648	112.3%	Sold Out, need to apply top coat of asphalt.
2001	3640107100	Tradewind Dr Extension	1,000,000	0	0	0	1,000,000	1,000,000	0.0%	Not yet started.
	TOTAL		**24,948,082**	**16,726,170**	**25,172,088**	**28,895**	**(252,901)**	**8,221,911**	**101.0%**	

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OTHER/MISCELLANEOUS										
2002	2050249103	District Heating Prj SuperBld	1,000,000	0	0	0	1,000,000	1,000,000	0.0%	Awaiting SuperBuild Approval
2002	2050258101	Hamilton Future Fund	7,400,000	0	0	0	7,400,000	7,400,000	0.0%	Awaiting SuperBuild Approval
2002	2050258102	Confed Pk West End Devlpmnt	1,650,000	825,000	0	0	1,650,000	825,000	0.0%	Awaiting SuperBuild Approval
2001	2050155400	Peoplesoft Upgrade Project	2,600,000	2,600,000	637,872	0	1,962,128	0	24.5%	To be completed by year end
			12,650,000	**3,425,000**	**637,872**	**0**	**12,012,128**	**9,225,000**	**5.0%**	
		TOTAL CORPORATE SERVICES	**39,898,082**	**21,301,170**	**26,264,825**	**676,826**	**12,956,431**	**18,596,911**	**67.5%**	
PLANNING & DEVELOPMENT										
LONG RANGE PLANNING										
2002	8100255101	Meadowlands - Neighbourhood Secondary Plan	75,000	40,000	0	0	75,000	35,000	0.0%	This work is starting now with the plan to be completed in spring/summer 2003. A term of reference has been completed for the study and costs are being negotiated with the major property owners.
2002	2050203100	Dwtn Student Housing SuperBld	1,000,000	0	0	0	1,000,000	1,000,000	0.0%	Awaiting SuperBuild Approval
2002	8100255102	Waterdown East Secondary Plan	150,000	75,000	0	0	150,000	75,000	0.0%	Now that OPA 28 has been approved by the Province work on the secondary plan can begin, a terms of reference for the study is under preparation and costs are to be negotiated with the property owners. Work on the plan will begin in 2002 and will continue into 2003.
2002	8200203100	Bay Street Pedestrian/Street Improvements - Main to Cannon SuperBuild	3,200,000	1,070,000	72,432	0	3,127,568	2,130,000	2.3%	Waiting for confirmation on Superbuild funds (TBA Sept 2002). Anticipate project will start in fall, however, will be carried over until 2003.
2002	8300208101	West Harbour Design Strategy	178,000	178,000	0	0	178,000	0	0.0%	A terms of reference has been prepared, a request for proposals has been issued and closes July 22nd. This year a vision strategy is to be prepared and a design strategy for Pier 8 is to be completed. Work on the integrated secondary plan and infrastructure master plan is to continue into 2003 with completion expected in 2004.
2002	8300208102	West Harbour Contaminated Site Inventory	158,000	158,000	0	0	158,000	0	0.0%	The funds for this project are to be used to undertake the development of a downtown zoning by-law. Work is to begin in 2002 and will be completed in 2003.
2002	8200203103	Downtown Streets Master Plan	250,000	250,000	0	0	250,000	0	0.0%	Anticipate most of budget will be spent by end of year.
2002	8200203101	Hughson Street Master Plan Implementation	371,000	371,000	0	0	371,000	0	0.0%	This is a Comm Service project - administered by Lawrence Stasiuk. Project is preceding and funds should be spent by year end.
2002	8200203102	King William Master Plan and Implementation DSP	288,000	288,000	0	0	288,000	0	0.0%	This project has 2 components 1st is the completion of master plan ($60K) by P & D staff to be completed by year end. The 2nd component is the implementation being administered by Comm Serv
2001	8090149100	Major Gateways to City Phases	100,000	100,000	0	0	100,000	0	0.0%	RFP being developed expect project start up in fall. The entire budget will be spent, however, the project will likely extend into 2003.
2000	8100055001	Official Plan Review	639,000	639,000	234,175	0	404,825	0	36.6%	On-going will carry over to 2003. The completion of this project has been delayed due to severe staff constraints and competing work plan priorities.
1996	8099655601	Hamilton Wentworth Air Quality Initiatives	233,590	233,586	170,742	0	62,848	4	73.1%	The remaining funds represent the Dubai award funds. A strategy for the use of this funds is under preparation to be carried over to 2003.

CITY OF HAMILTON
BUDGET VARIANCE REPORT
TAX PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
LONG RANGE PLANNING con't										
2000	8100055003	Zoning By-Law Review	120,000	120,000	0	0	120,000	0	0.0%	The project will not be complete by year-end. The project have not been initiated due to severe and continuing staffing constraints and competing work priorities directed by Council to date (e.g. urban boundary review, industrial business park strategy, etc.) Revised work plans for this project are now under preparation to phase implementation over a 5 year timeframe in line with related work priorities for the Official Plan Reform and other community plan projects. The objectives is to maximize funding and staff resource allocation through a more integrated approach to zoning and official plan projects. The full extent of costs for the revised work program will not be known until year end. Due to shortfalls from Transition Board and amalgamation funding and the need for higher levels of purchased consulting services to compensate for staffing constraints, it is likely that the work will exceed the original cost estimates.
2000	8100055002	Digital Imaging of Zoning Maps	300,000	300,000	0	0	300,000	0	0.0%	This project will also not be completed by year end . See Zoning By-law Review for variance explanation.
2000	8100055005	Neighbourhood Plan Review	100,000	100,000	1,753	0	98,247	0	1.8%	The Anslie Wood/Westdale Neighbourhood Plan review is currently underway and will be completed in 2003.
1998	8109855032	Heritage Studies	32,000	32,000	19,639	0	12,361	0	61.4%	Status of project TBD
1998	8109855045	Hamilton Beach Exhibition	32,510	32,511	21,246	0	11,264	(1)	65.4%	Grant monies rec'd from Minister of Cdn Heritage. Addn't funds credited to project to be reviewed as may belong to another project. To be carried over to 2003.
1998	8109855802	Vision 2020 Progress Team	38,320	38,319	15,640	0	22,680	1	40.8%	The funds are to used for the implementation of the Vision 2020 communication strategy, which is currently being prepared and will continue into 2003.
1999	8109955004	Highway # 8 Urban Design	27,245	27,245	0	0	27,245	0	0.0%	This project was transferred over from Stoney Creek capital program as a result of amalgamation. As per conversation with Ron Marini this capital project was for streetscape design Hwy 8 from Grimsby border to about Lewis road (Winona). It was budgeted but due to amalgamation, only a little bit of work was done. Ron advised that this project be carried over to 2003.
	TOTAL		**7,292,665**	**4,052,661**	**535,627**	**0**	**6,757,038**	**3,240,004**	**7.3%**	
DOWNTOWN RENEWAL										
2002	8200203104	Downtown Hamilton - Special Events ($50k) , Christmas Decorations - Al Dore ($50)	100,000	100,000	0	0	100,000	0	0.0%	Anticipate will be spent by year end.
2001	2050103100	Convert to Res Loan Prg-Int	210,000	210,000	0	0	210,000	0	0.0%	To be transferred to Downtown Reserve
2001	2050105103	BIA Projects to be allocated	100,000	100,000	21,659	63,084	15,257	0	84.7%	To be completed by year end
2002	8200203105	Strategy for Increasing Public Safety in the Downtown	50,000	50,000	0	0	50,000	0	0.0%	To be spent by year end
2002	8300208100	Commercial Property Improvement Grant Program	250,000	250,000	0	0	250,000	0	0.0%	RFP to be issued in next few weeks. Funds are expected to be committed by end of 2002.

CITY OF HAMILTON
BUDGET VARIANCE REPORT
TAX PROGRAM CAPITAL PROGRAM
JUNE 2002

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET a	ACTUAL REVENUES b	ACTUAL EXPENDITURES c	COMMITMENTS d	AVAILABLE BALANCE e=a-c-d	FINANCING REQUIRED TO BUDGET g=(a-b)	% COMPLETE h=(c+d)/a	VARIANCE EXPLANATION
DOWNTOWN RENEWAL Con't										
2001	4240103100	**2001 Downtown Initiatives (5 projects)**								
		City Views	166,000		160,000	0	6,000	166,000	96.4%	Completed at end of 2001
		King Street Streetscape - Bay to Queen	1,200,000		114,919	934,623	150,458	1,200,000	87.5%	Majority of work completed at end of 2001
		Restore the Core	50,000	360	0	0	50,000	49,640	0.0%	2001 actual of $39046.39 were chgd to 4249955036 "Ham Downtown Improvements"
		Xmas Decorations (King St -Al Dore in CS)	20,000		0	0	20,000	20,000	0.0%	
		Plang Dept Admin	64,000		0	0	64,000	64,000	0.0%	Anticipate amounts be spent by year end.
2001	4030103100	Ferguson - Lights & Streetscaping (Cannon &Wilso	400,000	400,000	10,331	14,698	374,971	0	6.3%	Delayed due to amalgamation , project to start in fall to be completed by end of 2003. Lawrence S is responsible for implementation & TOE roadways.
1999	4669909212	Heritage Signing (SCR)	16,500	16,500	0	0	16,500	0	0.0%	Project to be carried over to 2003
2001	2050105103	BIA projects to be reallocated (Incl 10K admin)	100,000	100,000	30,322	54,672	15,006	0	85.0%	Will be completed by end of 2002
1999	4249955038	Commercial Improvement Program (BIA's)	120,000	120,000	32,947	3,266	83,787	0	30.2%	Funding for capital projects for 8 BIA's. Project delayed due to amalgamation/workload issues, however, ongoing and will carry over to 2003.
1997	4509755037	Downtown Phase-Ferg Mast Plan	780,000	780,000	456,367	6,000	317,633	0	59.3%	Project to be transferred to CS - Dominic/Lawrence S
2001	4528705001	Commercial Improvement Program	1,031,735	210,419	1,532	0	1,030,203	821,316	0.1%	Ongoing Program
2001	4528706005	Business Development Seminar-Program	13,550	13,553	12,203	833	514	(3)	96.2%	per Hazel leave open to fund 2002 Business Development seminar.
2001	4528803004	Jarvis Street Square	550,000	422,399	422,399	0	127,601	127,601	76.8%	To be kept open - new banner s to be made. Project being administered by Mike Mcnarra
	TOTAL		**5,221,785**	**2,773,231**	**1,262,679**	**1,077,176**	**2,881,931**	**2,448,554**	**44.8%**	
DEVELOPMENT DIVISION										
2002	8100255100	Mayor's Open for Opportunity Task Force	50,000	50,000			50,000	0	0.0%	To be spent by year end.
2000	8100055006	West 5th Storm Infrastructure Study	175,000	175,000	33	0	174,967	0	0.0%	Funding originally approved for Mgmt Eng Design Work , however, project halted these funds were going to be diverted for Quad City Pad Arena site selection process. Work completed by Comm Service approx. $38K charged elsewhere. Mgmt Eng Design work to be undertaken in 2003.
	TOTAL		**225,000**	**225,000**	**33**	**0**	**224,967**	**0**	**0.0%**	
BUILDING & LICENSING										
2001	8090149101	50 Frederick Ave - Renovations	27,000	27,000	23,286	0	3,714	0	86.2%	Anticipate approx. $1K for legal fees in 2002. Balance to be carried forward to 2003.
	Sub-total		**27,000**	**27,000**	**23,286**	**0**	**3,714**	**0**	**86.2%**	
TOTAL PLANNING & DEVELOPMENT			**12,766,450**	**7,077,892**	**1,821,625**	**1,077,176**	**9,867,650**	**5,688,558**	**22.7%**	
TAX SUPPORTED CAPITAL BUDGET			**720,414,094**	**506,412,602**	**451,155,143**	**61,277,343**	**207,981,608**	**214,001,492**	**71.1%**	

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
RATES SUPPORTED PROGRAM								
Transportation, Operation & Environment								
Waterworks								
1997	5149766701	Low Lift Pumping Stn	269,000.00	267,745.90	267,745.90	0.00	99.5%	N/A
1996	5149672645	Chegwin-McMurry-Hope St.	176,000.00	183,212.31	176,000.00	(7,212.31)	104.1%	108015-Waterworks Reserve
1996	5149666601	WWTP Roof & Masonary Repairs	886,000.00	519,879.38	886,000.00	366,120.62	58.7%	Transfer $366,000 to 5140166111
1999	5149966905	Arch Upgrades-Water Buildings	600,000.00	183,391.29	600,000.00	416,608.71	30.6%	Transfer $416,600 to 5140166111
1998	5149866805	Ceiling Repairs At Filtration	500,000.00	444,943.50	500,000.00	55,056.50	89.0%	108015-Waterworks Reserve
1999	5149961988	Nash From Brampton To 230 M S	125,000.00	0.00	0.00	0.00	0.0%	Delayed to 2003 per 2002 Capital Budget
1999	5149971912	Winona Park-Winona To West end	233,000.00	0.00	0.00	0.00	0.0%	Delayed to 2003 per 2002 Capital Budget
1999	5149971991	Park-Napier To Wellington	110,000.00	87,737.47	110,000.00	22,262.53	79.8%	108015-Waterworks Reserve
1999	5149961970	Annual-Minor Improvements	136,000.00	139,290.22	139,290.22	0.00	102.4%	N/A
1999	5149967955	W-H5-Electrical Transformer 2	52,000.00	51,501.12	51,501.12	0.00	99.0%	N/A
2000	5140055093	Water Management Strategy	600,000.00	0.00	0.00	0.00	0.0%	Delayed to 2003 per 2002 Capital Budget
2000	5140063027	Parkside-Hwy6-wo Hollybush	400,000.00	338,777.56	353,361.04	14,583.48	84.7%	108015-Waterworks Reserve
2000	5140063039	Peter - Queen to Locke	310,000.00	285,952.58	310,000.00	24,047.42	92.2%	108015-Waterworks Reserve
2000	5140063048	Huxley King Monterey Tuxedo	225,000.00	212,090.92	225,000.00	12,909.08	94.3%	108015-Waterworks Reserve
2000	5140063040	Florence - Ray to Locke	220,000.00	209,921.08	220,000.00	10,078.92	95.4%	108015-Waterworks Reserve
2000	5140078015	Meadowlands - Phase 5	56,000.00	54,198.84	56,000.00	1,801.16	96.8%	108015-Waterworks Reserve
2000	5140003061	Annual - Hamilton Core	76,000.00	73,569.37	76,320.19	2,750.82	96.8%	108015-Waterworks Reserve
2000	5140067057	Water Tower Safety Upgrades	25,000.00	24,065.46	24,065.46	0.00	96.3%	108015-Waterworks Reserve
2001	5140171113	Royal - Emerson to west end	185,000.00	0.00	0.00	0.00	0.0%	Delayed to 2004 per 2002 Capital Budget
2001	5140163130	Bulk Water Stations	660,000.00	3.91	0.00	(3.91)	0.0%	Delayed to 2003 per 2002 Capital Budget
2001	5140171132	Concord-Hunter-Cairns-Cameron	180,000.00	142,707.07	179,993.40	37,286.33	79.3%	108015-Waterworks Reserve
2001	5140162133	Bseline-155mE of Winona-NS Rd	200,000.00	173,254.27	200,000.00	26,745.73	86.6%	108015-Waterworks Reserve
2001	5140161103	Fennell - U James to Clarendon	266,000.00	245,634.84	240,000.00	(5,634.84)	92.3%	108015-Waterworks Reserve
	Total Waterworks		6,490,000.00	3,637,877.09	4,615,277.33	977,400.24	56.1%	
Sanitary Sewers								
1993	5169325362	Glover Access-S Service-Glove	623,000.00	500,321.46	720,376.23	220,054.77	80.3%	108005-Sanitary Sewer Reserve
1995	5169566507	Expansion of Primary Clarifier	2,566,000.00	2,144,055.99	2,566,000.00	421,944.01	83.6%	Transfer $421,944 to 5169966907
1996	5169666604	STP-Ex Prim Clarifier Repairs	513,000.00	556,319.56	513,000.00	(43,319.56)	108.4%	108015-Waterworks Reserve
1996	5169666605	STP-Grit Remove-Channel Renovation	158,000.00	150,466.58	158,000.00	7,533.42	95.2%	108015-Waterworks Reserve
1996	5169666607	SCADA Op & Computer Controls	1,515,500.00	1,515,442.33	1,515,500.00	57.67	100.0%	108015-Waterworks Reserve
1996	5169625665	Trillium, Lewis To S Service	361,000.00	285,466.62	443,139.76	157,673.14	79.1%	108005-Sanitary Sewer Reserve
1996	5169666601	STP Pump Switchgear and Drives	3,200,000.00	3,119,187.70	3,200,000.00	80,812.30	97.5%	108005-Sanitary Sewer Reserve
1997	5169771739	Melville-Cross To Sydenham SW	122,000.00	73,173.10	122,000.00	48,826.90	60.0%	108005-Sanitary Sewer Reserve
1997	5169766707	Secondary Clarifier Evaluation	50,000.00	45,905.98	50,000.00	4,094.02	91.8%	108005-Sanitary Sewer Reserve
1998	5169872834	Catherine Combined Overflow SW	8,090,000.00	7,819,302.19	8,090,000.00	270,697.81	96.7%	108005-Sanitary Sewer Reserve

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
Sanitary Sewers Con't								
1999	5169966901	Expansion of Primary Clarifier	7,504,000.00	6,909,869.64	7,504,000.00	594,130.36	92.1%	Transfer $370,542 to 5169966907
annual	5160066004	Annual - Operational Improve Plant SW	650,000.00	234,409.61	650,000.00	415,590.39	36.1%	Transfer $300,000 to 5169966907
1997	5169766705	Refurbish Sluice Gate Control	120,000.00	0.00	120,000.00	120,000.00	0.0%	Transfer $120,000 to 5169966907
1997	5169767754	PCB Disposal SW	259,000.00	120,786.96	259,000.00	138,213.04	46.6%	Transfer $138,213 to 5169966907
2000	5160066014	Bypass Effluent Screening	800,000.00	154,028.96	800,000.00	645,971.04	19.3%	Transfer $645,971 to 5169966902
1999	5169967950	Facility Assessment & Upgrade	381,000.00	0.00	381,000.00	381,000.00	0.0%	Transfer to 5169867850
annual	5160067052	Annual - Operational Improve Out SW	761,000.00	221,281.29	761,000.00	539,718.71	29.1%	Transfer to 5160067053
1999	5169961960	Shelby-Barton To Britannia SW	105,000.00	37,765.96	105,000.00	67,234.04	36.0%	108005-Sanitary Sewer Reserve
1999	5169966903	4160V Feeder-Substation STP	150,000.00	150,000.00	150,000.00	0.00	100.0%	108005-Sanitary Sewer Reserve
2000	5160066010	Primary Clarifier Scum Trough	716,000.00	663,150.57	716,000.00	52,849.43	92.6%	108005-Sanitary Sewer Reserve
2000	5160066013	Nitrification Upgrades	1,000,000.00	1,010,233.31	1,000,000.00	(10,233.31)	101.0%	108005-Sanitary Sewer Reserve
2001	5160178124	Southbrook on the Green - Ph 1	44,000.00	43,576.00	44,000.00	424.00	99.0%	108005-Sanitary Sewer Reserve
	Total Sanitary Sewers		29,688,500.00	25,754,743.81	29,868,015.99	4,113,272:18	86.7%	
TOTAL RATES SUPPORTED PROGRAM			36,178,500.00	29,392,620.90	34,483,293.32	5,090,672.42	81.2%	

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
TAX LEVY SUPPORTED PROGRAM								
Transportation, Operation & Environment								
Storm Sewers								
1999	5189963968	Infra Master Plan (Existing)SS	115,000.00	0.00	115,000.00	115,000.00	0.0%	108010 Storm Sewer Program
2000	5180062047	Lamoreaux - Dundurn-Strathcon	166,000.00	133,022.88	166,000.00	32,977.12	80.1%	108010 Storm Sewer Program
2001	5180162103	Fennell - Clarendon to 120m W	150,000.00	191,383.02	150,000.00	(41,383.02)	127.6%	108010 Storm Sewer Program
	Total Storm Sewers		431,000.00	324,405.90	431,000.00	106,594.10	75.3%	
Roads								
1991	4039110101	Technology - Phase 1	14,908,000.00	14,770,885.86	14,770,885.86	0.00	99.1%	N/A
1991	4039117129	Regional Trail Development	599,696.74	606,696.74	606,696.74	0.00	101.2%	N/A
1992	4039210213	Ottawa - Beach to Main	1,280,277.38	1,247,002.84	1,247,002.84	0.00	97.4%	N/A
1992	4039212219	Fruitland Rd Bypass - Barton t	989,000.00	1,031,171.40	1,040,229.99	9,058.59	104.3%	Debentures
1993	4039312305	Stone Church - Upper Gage to Re	2,590,000.00	2,473,861.17	2,473,861.17	0.00	95.5%	N/A
1994	4039412404	Stone Church - Upper Wentworth	1,002,523.66	989,729.02	989,729.02	0.00	98.7%	N/A
1994	4039412426	Barton - Lake to Grays 94	6,856,639.85	6,863,384.00	6,856,640.00	(6,744.00)	100.1%	108020 Unallocated Capital Levy Reserve
1995	4039512582	Main - Gary to Hwy #403	3,855,222.53	3,855,222.53	3,855,222.53	0.00	100.0%	N/A
1997	4039710727	Burlington St Bridge (#1537)	3,945,260.20	3,737,403.12	3,737,403.12	0.00	94.7%	N/A
1997	4039781002	Ridge At Dewitt	400,000.00	395,613.22	395,613.22	0.00	98.9%	N/A
1997	4039781001	Woodward Bridge Over Burlington	2,580,000.00	2,558,628.42	2,558,628.42	0.00	99.2%	N/A
1998	4039811829	Hwy 8 - Donn Ave to Grays Rd	230,000.00	193,590.08	193,590.08	0.00	84.2%	N/A
1998	4039811826	Hwy 53 - Trinity Church to 200	919,745.61	861,991.56	822,733.97	(39,257.59)	93.7%	Debentures
1998	4039811820	Upper Wentworth - Fennell to Q	375,703.17	364,438.65	364,438.65	0.00	97.0%	N/A
1998	4039814800	Traffic Operations	3,891,098.13	3,824,098.13	3,824,098.13	0.00	98.3%	N/A
1998	4039813837	Upper James - Stone Church to S	367,000.00	366,321.70	366,321.70	0.00	99.8%	N/A
1998	4039814824	Hwy 20 at Ridge Rd - Left Turn	403,000.00	409,149.97	409,149.97	0.00	101.5%	N/A
1998	4039811823	Hwy 20 - King to Green Mountain	610,000.00	674,517.94	674,517.94	0.00	110.6%	N/A
1999	4039910941	Concession - Upper Sherman to	730,000.00	601,582.78	0.00	(601,582.78)	82.4%	Debentures
1999	4039911923	Hwy 52 - Hwy 53 to Governor's	700,000.00	642,932.16	642,932.16	0.00	91.8%	N/A
1999	4039911940	Hwy 8 - Park to limit of MTO R	222,000.00	249,127.61	249,127.61	0.00	112.2%	N/A
1999	4039909501	SC Smith'S Knoll	150,000.00	148,136.54	190,845.96	42,709.42	98.8%	Debentures
2000	4030011048	Upper James - Mohawk to Fennel	300,000.00	278,861.84	278,861.84	0.00	93.0%	N/A
2000	4030012052	Upper Wentworth - Stone Church	1,500,000.00	1,406,496.53	(24,936.01)	(1,431,432.54)	93.8%	110125 Roads Residential Development Chgs.
2000	4030014300	AN Traffic Study	90,000.00	90,709.90	89,947.71	(762.19)	100.8%	Debentures
2001	4030111154	FL Parkside - Evans	40,000.00	0.00	0.00	0.00	0.0%	N/A
2001	4030111127	Upp Gage -Mohawk to Fennell	550,000.00	527,899.84	242,334.82	(285,565.02)	96.0%	Debentures
2001	4030114158	Signal - Upper Gage and Ninth	18,000.00	17,663.67	115,167.00	97,503.33	98.1%	Debentures
2001	4030114159	Signal - Up Ottawa at Broker	20,000.00	22.86	50,022.00	49,999.14	0.1%	Debentures
	Total Roads		50,123,167.27	49,187,140.08	47,021,066.44	(2,166,073.64)	98.1%	

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
Waste Management								
1998	5129893817	SWARU Upgrades-Capital Improvements	290,000.00	293,231.79	235,554.42	(57,677.37)	101.1%	Debentures
1998	5129893815	Install Of Mufflers & Silencer	9,000.00	8,562.40	8,562.40	0.00	95.1%	N/A
1998	5129893820	Id Fan & Generator Repairs	176,000.00	136,852.04	127,460.48	(9,391.56)	77.8%	Debentures
1994	5129455400	Waste Diversion Studies	698,000.00	511,426.00	565,268.00	53,842.00	73.3%	To 5120255137
1998	5129894819	Transfer Station Upgrades	734,000.00	551,957.41	158,159.84	(393,797.57)	75.2%	Debentures
	Total Waste Management		**1,907,000.00**	**1,502,029.64**	**1,095,005.14**	**(407,024.50)**	78.8%	
Transit								
1993	5309385000	Passenger Facilities	204,000.00	203,389.12	203,389.12	0.00	99.7%	N/A
	Total Transit		**204,000.00**	**203,389.12**	**203,389.12**	**0.00**	99.7%	
Fleet Management								
1998	4949851038	Parks Division-Equipment Acquisition	75,900.00	75,900.00	75,900.00	0.00	100.0%	N/A
1997	4949751024	Fleet Management Info System	175,000.00	178,450.61	178,450.61	0.00	102.0%	N/A
	Total Fleet Management		**250,900.00**	**254,350.61**	**254,350.61**	**0.00**	101.4%	
Expressway								
1988	4060088007	Design, 403 Interchange (Parker)	1,498,000.00	1,467,611.99	18,025.00	(1,449,586.99)	98.0%	Debentures
1989	4060089001	Noise Wall Additions - Expressway	250,000.00	212,380.97	0.00	(212,380.97)	85.0%	Debentures
	Total Expressway		**1,748,000.00**	**1,679,992.96**	**18,025.00**	**(1,661,967.96)**	96.1%	
TOTAL TRANSPORTATION, OPERATION, & ENVIRONMENT			**54,868,067.27**	**53,354,697.43**	**49,226,225.43**	**(4,128,472.00)**	97.2%	
Community Services								
2001	2270153105	HPL-Replace Roof-Sherwood Lib	60,000.00	0.00	60,000.00	60,000.00	0.0%	110046-Tax Stabilization
2001	2270153109	AMB-Public Education Campaigns	14,500.00	14,791.88	14,500.00	(291.88)	102.0%	110046-Tax Stabilization
2001	2270153112	Fire - Temporary Housing	176,000.00	176,000.00	176,000.00	0.00	100.0%	N/A
2001	4400156113	Bocci Cts Wm. Bethune Park	150,000.00	148,083.32	150,000.00	1,916.68	98.7%	108035 Former City of Hamilton Capital
2000	4400058006	DU Pedestrian Trail Improvements	22,400.00	28,275.72	28,275.72	0.00	126.2%	N/A
2000	4400056300	AN Rousseaux Playground	0.00	0.00	5,000.00	5,000.00	N/A	108030-Former Town of Ancaster Capital
2000	4400056301	AN Signature Park Phase I	0.00	0.00	15,000.00	15,000.00	N/A	108030-Former Town of Ancaster Capital
2000	4400056303	AN Community Centre - Pathways	0.00	3,370.95	8,363.60	4,992.65	N/A	108030-Former Town of Ancaster Capital
2000	4400056304	AN Community Centre - Park	0.00	94,645.86	32,631.00	(62,014.86)	N/A	108030-Former Town of Ancaster Capital
2000	4400056306	AN Shaver Neighbourhood Park	0.00	5,984.31	0.00	(5,984.31)	N/A	108030-Former Town of Ancaster Capital
2000	4400056307	AN Little League Park	0.00	0.00	6,864.00	6,864.00	N/A	108030-Former Town of Ancaster Capital
2000	4400056308	AN Kitty Murray Park	0.00	0.00	15,000.00	15,000.00	N/A	108030-Former Town of Ancaster Capital
2000	4400056309	AN Lawn Bowling	0.00	0.00	21,402.34	21,402.34	N/A	108030-Former Town of Ancaster Capital
2000	[illegible]0056310	AN Jerseyville Park	0.00	0.00	3,906.22	3,906.22	N/A	108030-Former Town of An[illegible] Capital

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
Community Services con't								
2000	4400056313	AN Brockhouse Park	0.00	17,561.95	0.00	(17,561.95)	N/A	108030-Former Town of Ancaster Capital
2000	4400056314	AN Apparatus Replacement	0.00	16,816.19	0.00	(16,816.19)	N/A	108030-Former Town of Ancaster Capital
2000	4400056315	AN Park Signage	0.00	0.00	6,392.20	6,392.20	N/A	108030-Former Town of Ancaster Capital
2000	4400056317	AN Town Park Delineation	0.00	0.00	5,000.00	5,000.00	N/A	108030-Former Town of Ancaster Capital
2000	4400056318	AN Tree Planting Program	0.00	3,831.06	0.00	(3,831.06)	N/A	108030-Former Town of Ancaster Capital
2000	4400056319	AN James Smith Park	0.00	63,455.16	0.00	(63,455.16)	N/A	108030-Former Town of Ancaster Capital
2000	4400056320	AN Marshall Estates Com Park	0.00	0.00	1,638.33	1,638.33	N/A	108030-Former Town of Ancaster Capital
2000	4480056071	SC Eighty Seven Acres Pk Rehab	0.00	4,973.31	0.00	(4,973.31)	N/A	108034 Former City of Stoney Creek
1997	4509750010	CP Lands-Acquire Development	1,600,000.00	1,560,066.74	1,602,500.00	42,433.26	97.5%	108020 Unallocated Capital Levy Reserve
2000	4920049300	AN Cemetery Rehabilitation	0.00	0.00	9,962.17	9,962.17	N/A	108030-Former Town of Ancaster Capital
2000	3100041306	AN Tennis Crt-Lawn Bowl Blvd	0.00	23,752.21	0.00	(23,752.21)	N/A	108030-Former Town of Ancaster Capital
2000	7070049303	AN Youth Council	0.00	0.00	342.07	342.07	N/A	108030-Former Town of Ancaster Capital
2000	7070051301	AN Boulevard Bench Program	0.00	0.00	916.31	916.31	N/A	108030-Former Town of Ancaster Capital
2000	7070058300	AN Boulevards	0.00	0.00	950.00	950.00	N/A	108030-Former Town of Ancaster Capital
2000	7100054002	Multi Pad Sports Complex	0.00	61,560.80	0.00	(61,560.80)	N/A	108035 Former City of Hamilton Capital
2000	7300041302	AN Comm Centre - Arena Phase 2	0.00	2,080,678.77	161,995.98	(1,918,682.79)	N/A	108030 Former Ancaster-$298,683- D.C's $1,620,000
2000	7300041303	AN Mohawk Meadows Outdoor Rink	0.00	19,001.85	0.00	(19,001.85)	N/A	108030-Former Town of Ancaster Capital
2000	7300041304	AN Comm Centre-Trophy Case	0.00	0.00	37.00	37.00	N/A	108030-Former Town of Ancaster Capital
2000	7300054002	Stoney Creek Arena	0.00	0.00	14,348.04	14,348.04	N/A	108034 Former City of Stoney Creek
2000	7300054003	Saltfleet Arena	0.00	0.00	11,767.85	11,767.85	N/A	108034 Former City of Stoney Creek
2000	7310054004	Brewster Pool	0.00	93.34	46,042.76	45,949.42	N/A	108034 Former City of Stoney Creek
2000	7400041303	AN Building	0.00	0.00	19,677.72	19,677.72	N/A	108020 Unallocated Capital Levy Reserve
2000	7400051004	Vehicle Replacement	0.00	197,624.37	197,624.37	0.00	N/A	N/A
2000	7400051300	AN Trunking Equipment	0.00	0.00	21,073.27	21,073.27	N/A	108020 Unallocated Capital Levy Reserve
2000	7400051301	AN Equipment	0.00	0.00	14,572.51	14,572.51	N/A	108020 Unallocated Capital Levy Reserve
2000	7400051302	AN Pumper Truck	0.00	65,015.39	65,015.39	0.00	N/A	N/A
2000	7400051303	AN Fire Pumper Replacement	125,000.00	120,905.27	134,984.61	14,079.34	96.7%	110021 Vehicle Replacement Fire
2000	7400051304	AN Defibrillator	0.00	0.00	318.69	318.69	N/A	100031 - Fire Equipment Reserve
2001	3540141001	Crt House - McMaster Occupancy	1,112,000.00	1,045,410.20	1,220,581.87	175,171.67	94.0%	108020 Unallocated Capital Levy Reserve
2000	3100041305	AN Municipal Off - Vault Upgrade	0.00	0.00	5,000.99	5,000.99	N/A	108020 Unallocated Capital Levy Reserve
2000	3450051004 & 3540055004	Garage Yards Ration Study	6,302,400.00	6,533,051.35	5,867,276.02	(665,775.33)	103.7%	108005 Sanitary Reserve - Repay over 10 Years
2000	3540041001	Asbestos Mgmt Program (1921001)	200,000.00	302,499.00	200,000.00	(102,499.00)	151.2%	108020 Unallocated Capital Levy Reserve
2000	3540045005	UPG - Lighting Retrofit	175,000.00	150,883.62	144,592.64	(6,290.98)	86.2%	108020 Unallocated Capital Levy Reserve
1999	3459951001	Energy Project Management	0.00	442,977.22	267,553.62	(175,423.60)	N/A	108020 Unallocated Capital Levy Reserve
1999	3459951002	Facilities-HW Courthouse	450,000.00	740,982.28	740,982.28	0.00	164.7%	N/A
1999	3459951005	Provincial Offen Act Set-Up	0.00	411,220.48	411,220.48	0.00	N/A	N/A
1999	3549941071	Asbestos Management Program	300,000.00	223,056.21	150,000.00	(73,056.21)	74.4%	108020 Unallocated Capital Levy Reserve
TOTAL COMMUNITY SERVICES			10,687,300.00	14,556,568.81	11,859,310.05	(2,697,258.76)	136.2%	

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE
CORPORATE SERVICES								
Parking Services								
1996	4909645018	Facilities Equipment Development	100,000	100,000	100,000	0.00	100.0%	N/A
Economic Development								
1988	3668851009	G H Tech	4,174,500.00	4,158,979.50	4,174,500.00	15,520.50	99.6%	108020 Unallocated Capital Levy Reserve
1990	3689107000	Airport Industrial Park	4,692,298.58	4,692,298.58	4,692,298.58	0.00	100.0%	N/A
TOTAL CORPORATE SERVICES			**8,966,798.58**	**8,951,278.08**	**8,966,798.58**	**15,520.50**	**99.8%**	
TOTAL TAX LEVY SUPPORTED CLOSINGS			**74,522,165.85**	**76,862,544.32**	**70,052,334.06**	**(6,810,210.26)**	**103.1%**	
TOTAL CLOSINGS			**110,700,665.85**	**106,255,165.22**	**104,535,627.38**	**(1,719,537.84)**	**96.0%**	

City of Hamilton
Capital Project Closing List
Rates Supported Program & Tax Levy Supported Program

YEAR APPROVED	PROJECTID	DESCRIPTION	APPROVED BUDGET a	EXPENDITURES b	REVENUES c	SURPLUS/ (DEFICIT) ACTUAL d=c-b	% Spent e=b/a	FUNDING SOURCE

SUMMARY OF NET FUNDING SOURCES

Reserve / Project #	Description	Transfer To\ (From) $	Balance July 15th, 2002 $	
100031	Fire Equip And Protective Gear Reserve	319	181,595	
108005	Sanitary Sewer Reserve - For Garage/Yard Rationalizatio	(665,775)	3,093,588	To be Repaid over 10 Years (Report CS99026a)
108005	Sanitary Sewer Reserve - Rate Program	856,705	3,093,588	
108015	Waterworks Reserve	194,671	1,167,279	
108010	Storm Sewer Program	106,594	8,665,728	
108020	Unallocated Capital Levy Reserve	(70,564)	5,413,035	
N/A	Ancaster Development Charge Reserves	(1,620,000)	1,980,634	For Ancaster Community Centre PH 2
108030	Capital Projects - Ancaster	(413,697)	2,542,457	
108034	Capital Projects - Stoney Creek	67,092	476,832	
110065	Capital Projects - Former City of Hamilton	(59,644)	9,252,218	
110021	Vehicle Replacement Reserve - Fire	14,079	(378,646)	
110046	Tax Stabilization	59,708	12,768,586	
110125	Roads Residential Development Charges	(1,431,433)	1,066,449	
N/A	Intra-Program Transfers	4,093,138.88	N/A	
N/A	Debentures	(2,850,732)	N/A	
	Total	(1,719,538)		

SECTION 11

SECTION 12

AFFECTS
WARDS 2 & 3

12.1

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Downtown Renewal Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	August 30, 2002 1205-1	**Prepared by:**	Peter Minkiewicz (905) 546-2632

SUBJECT: Extension of the Open For Business Policy (PD02133) (Wards 2 & 3)

RECOMMENDATION:

(a) That a review of the "Open for Business Policy" be undertaken to determine if Council should consider extending the program as part of the 2003 budget process.

(b) That the "Open for Business Policy" which ended on August 31, 2002, be extended to the end of 2002 provided the current balance in the reserve of $113,500 is not exceeded.

(c) That the rebate for parkland dedication for the residential portion of the Policy Area, as shown on Appendix 'B' to Report PD02133, be refunded to the Reserve for Parkland from the general tax levy.

(d) That parkland dedication fees be re-instituted within the downtown portion of the Policy Area, as shown on Appendix 'A' to Report PD02133 to assist in implementing the provisions of the Downtown Hamilton Secondary Plan relative to the acquisition and development of parkland.

R. M. Marini

fr Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The purpose of this report is to review the performance of the Open For Business Policy over the last three (3) years and to recommend extension of the Policy until December 31, 2002. Following a detailed staff review of the Policy, consideration, as part of the 2003 budget process will be made for a further extension of the Policy to December 31, 2003.

BACKGROUND:

In 1996, Council approved the creation of the "Open For Business" policy and program for Downtown Hamilton. The original area affected by the policy was bounded by Queen Street, Hunter Street, Victoria Avenue, and Cannon Street. In 1999, the boundaries were expanded to include the entire Central Area extending from the escarpment to the Hamilton Harbour. Within the extended area, the policy applies only to residential development. The current policy terminates August 31, 2002.

The current policy consists of the following criteria:

- Refunding of all planning application fees for the Downtown Area (Official Plan amendments, rezonings, site plan applications, Committee of Adjustment applications).
- Refunding of the above application fees for residential developments within the expanded area; and,
- Refunding building permits (including building and demolition permits, zoning and property reports, inspection fees) within the Downtown for both residential and commercial and within the expanded area for residential developments only.
- Elimination of the City/Regional residential development charges within the policy area, and elimination of the Regional charge for both commercial and residential within the downtown.
- Refunding the 5% parkland dedication associated with residential development.

The policy has the following stipulations:

- A building permit must be issued by September 1, 2002 in order for the fees to be refunded;
- Fees will only be refunded upon issuance of a building permit.

Appendix 'A' identifies the Downtown Area portion of the Open for Business Policy wherein commercial and residential refunds are applicable. Appendix 'B' identifies the Downtown Area together with the residential expansion area.

Refund Information:

The following is a summary of the refunds that have been issued since the Open For Business Policy was adopted and implemented.

Year	Total Refunds
1996 (Sept. to Dec.)	$17,032
1997	$81,878
1998	$129, 439
1999	$60,651
2000	$111,421
2001	$108,239
2002 (to date as of June)	$408,899
TOTAL:	**$917,559**

Since extension of the policy in 1999, a total of 138 refunds have been issued under the terms of the program. The policy years 1999 and 2000 accounted for 108 refunds with the final two (2) years of the policy resulting in thirty (30) refunds to date.

Policy/Program Highlights:

Year 2000

- $54,000 (LIUNA – 80 Queen Street South) - building permit fee
- $20,310 (Augusta & James LTD-155 James Street South) - building permit fee

Year 2001

- $44,955 (Planning Engineering Initiatives) – building permit fee

Year 2002

- $12,091 (Dimco Construction – 62 Victoria Street South) - building permit fees and various planning application fees.
- $376,965 (Hi-rise Group, Federal Building on Bay Street) – building permit fees and planning application fees.

Development Charge Rebates:

Year 2000

- Development Charge rebates within the Policy Area total $354,260

Year 2001

- Development Charge rebates within the Policy Area total $1,920,000

Year 2002

- Totals for 2002 have yet to be calculated.

Parkland Dedication:

The Downtown Hamilton Secondary Plan was approved by the Province in 2002. This document envisions additional parkland to accommodate new residential development resulting both from new construction and from conversion of commercial space. The Plan identifies several new parks, and accordingly, the cost of financing the acquisition of such parks where the development upon City-owned lands is not a viable option, and the park construction costs need to be addressed. Forfeiting such parkland dedication fees places an added burden upon Council to identify alternative revenue sources.

Assuming an average of $500 per unit, and that 369 new units have been created since January of 2000 to date within the Policy Area, a total of $184,000 would have been forfeited under the terms of the original policy. In 1999, the renewed terms of the Policy included rebating the parkland dedication to the reserve for parkland from the general tax levy. It is recommended that the parkland dedication within the Downtown Hamilton Community Improvement Plan (as shown on Appendix 'A') be re-instituted to ensure that revenues to assist in the acquisition and development of new parkland within the Downtown are collected.

Revenue Implications:

On average, annual refunds under the terms of the Open for Business Program have been approximately $140,000. Under the current reserve, a balance of $113,550 is available to fund the program should it be extended to the end of 2002.

In the short term, there are 16 site plan applications being processed for downtown development projects which may be seeking funding under the terms of the program. One project seeking funding under the Downtown Hamilton Residential Loan Program may qualify for a rebate if a building permit is submitted prior to December 31, 2002. An estimate for the building permit rebate alone in relation to this project could total $85,000. It is anticipated that the current balance of the reserve fund could accommodate expected development rebates to the end of 2002.

Towards the latter part of 2003, large scale convert to residential projects, currently within the Downtown Hamilton Residential Loan Program, together with other anticipated development projects, will have a financial effect upon the program depending upon planning and construction schedules for these potential projects. From a revenue standpoint, the rebate may be as high as $375,000 to $400,000. It should be noted that this estimate is derived without the benefit of reviewing actual building permit information and assumes that the timing of these developments from a building permit submission point of view, would coincide with the terms of the program should they be extended to the end of 2003. Experience to date has also demonstrated that many applicants simply do not apply for rebates under the program, and accordingly, this would serve to lower the estimate for 2003.

The Open For Business Policy has clearly been successful in providing a catalyst for development within the downtown. The projected rebates for 2003 result in the need to evaluate the merits of extending the program during the 2003 budget process. The development of additional financial programs and the refinement of existing programs relative to market driven need and user feedback has resulted in considerable development interest within the downtown.

Parkland dedication fees that may have been forfeited during an average year (using 2000 - present) would have amounted to approximately $74,000 annually (using $500 as an average value per unit). This calculation is based upon an average of about 147 units per year since the beginning of 2000.

In terms of the local rate for residential development charges, assuming the average of 147 new residential units per year and applying the apartment rate of $799/unit, the revenue implications would be approximately $117,453. The Regional development charge rate of $2159/residential unit would result in a revenue implication of $317,373. The combined commercial development charges are more difficult to forecast, however the rate $4.26/square foot of new space would be forfeited. Under the terms of the new Development Charges By-law, these refunds under the Open For Business Policy would be repaid to the development charges reserve from the tax levy. The above figures accordingly would not be lost revenue but would be a reduction in funds from the tax levy for other programs and services.

Program Review and Summary:

Since the passing of the Downtown Hamilton Secondary Plan, the Downtown has been seen as an area in which new growth, in the form of infill development and residential conversions, could occur. The development of various loans and grants, including the establishment of the Open For Business Policy, has resulted in greater interest in the development opportunities offered by the Downtown environment.

Experience has shown that the Secondary Plan will provide a template for future development and that new construction and residential conversions will occur within the downtown largely due to the existence of financial incentive programs such as the Open For Business Policy.

A representative survey done by Downtown Renewal Division staff of participants who received a refund over the last 2.5 years has clearly indicated that the rebates demonstrate City Council's support for development within the Downtown. Most respondents noted that the rebates, although modest, were not the single reason for proceeding with the applicable work under the terms of the program. The opportunity to receive money back as part of the development process served simply to reduce the costs of doing business from a planning perspective within the downtown. Interestingly, many respondents were unaware of the program until notified by City staff and accordingly indicated that a better communications effort should be organized by the City to advertise the program. Experience in processing the rebates under the Policy has shown that many rebate recipients under the Policy have advanced planning and permit activities to ensure that rebates were available prior to the proposed termination dates in 1999, and more recently in 2002.

In relation to building permit and planning application fee rebates, an average of $140,000 annually was rebated since 1996. This figure is a relatively small portion of the overall City revenue drawn from fees representing only 3 to 6% of the City total for the years up to 1999. The fees rebated for the Downtown as a portion of the total City fees will be lower still for the years following amalgamation as the geographic area of the City of Hamilton grew larger while the Downtown remained constant in terms of its defined boundaries.

Parkland dedication fees within the Downtown are an important source of revenue which will be used to finance the acquisition and development of new parks in conformity with the Downtown Hamilton Secondary Pan. It is recommended that parkland dedication fees within the downtown portion of the Policy area (as shown on Appendix 'A') be collected and used to offset the cost of acquiring and developing parkland within the Downtown. It is recommended further, that the rebate for parkland dedication under the Open for Business Policy which relate to the residential portion only (as shown on Appendix 'B') be refunded to the Reserve for Parkland from the general tax levy.

Overall, the extension of the Open For Business Policy to the end of 2002 represents an important statement of support by City Council for the ongoing rejuvenation and revival of the Downtown. On balance, the rebates provided under the terms of the Policy are modest in scope yet the commitment to rebate such fees is a large step in the direction of improving the Downtown as a livable environment. The program, when offered in concert with other loan or grant programs offered by the City, provides a meaningful financial incentive for the development industry and individual property owner.

Re-establishing the parkland dedication fee within the downtown portion of the Policy Area is a vital step in the implementation of the Downtown Hamilton Secondary Plan. Collection of the fees provides a revenue source to assist in the acquisition and development of the parklands identified as part of the Secondary Plan and will contribute greatly to the redevelopment of the Downtown as a people-friendly environment. This financial commitment is designed to address the strategy of the Downtown Secondary Plan to create neighbourhood activities and environments to attract new residential investments.

ANALYSIS OF ALTERNATIVES:

A description and analysis of the Open For Business Policy is provided within this report. Non-acceptance of the recommendations contained within this report would result in the inability of the municipality to make financial assistance available under the terms of the Policy.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financing - Refunds made under the Open For Business Policy involve making rebates for applications which have been paid and which result in the issuance of a building permit. Development charges within the area are also exempted.

Staffing - Administration of the Open For Business Policy can be accommodated within the Planning and Development Department and the Finance and Corporate Services Department.

Legal – There are no legal implications associated with extending Open For Business Policy to the end of 2002.

POLICIES AFFECTING PROPOSAL:

The Planning Act gives municipalities jurisdiction to establish Community Improvement Project Areas and adopt plans under which municipalities may make grants to property owners for community improvement. Since the "Open For Business Policy Area" constitutes part of a Community Improvement Plan, it will permit our municipality to provide grants/refunds within the Project Area. Such grants/refunds are not subject to prohibition under the Municipal Act against bonuses to property owners.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The comments of the Legal Services Division, Community Services Department and Finance and Corporate Services Department have been included in this report. The recommendations in this report are in a form satisfactory to Corporate Counsel.

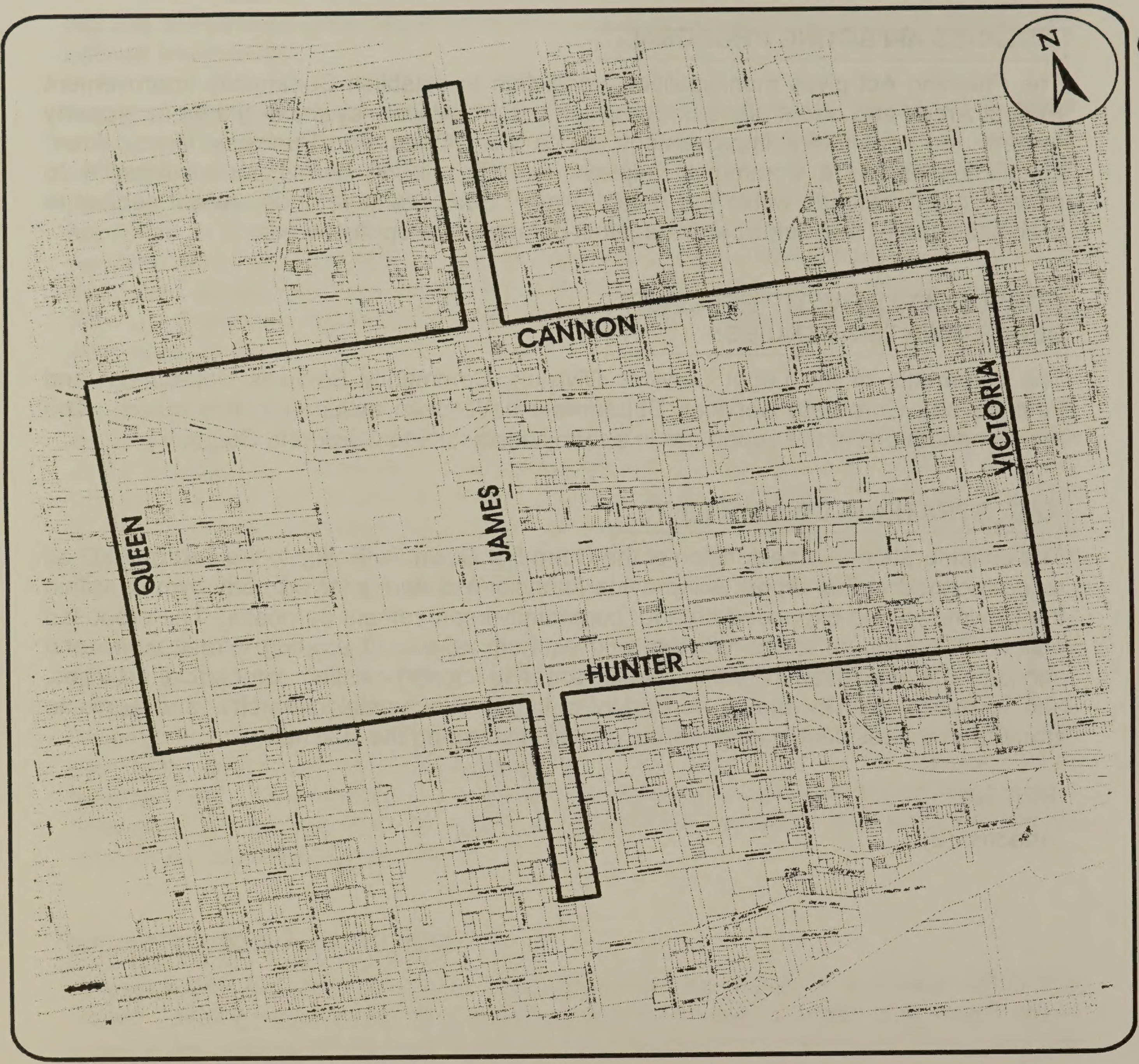
CITY STRATEGIC COMMITMENT:

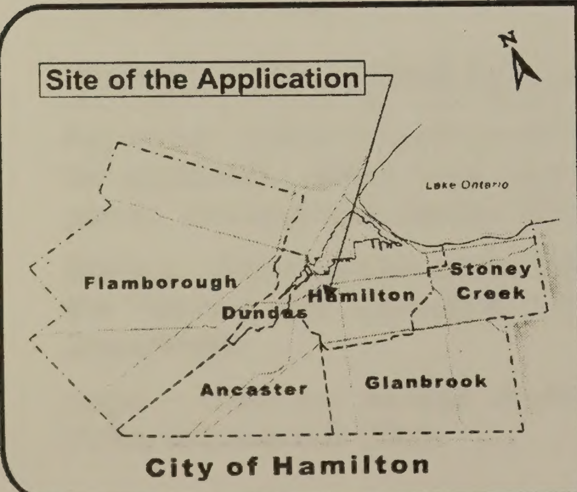
The consideration of an extension of the Open For Business Policy to the end of 2002 as recommended in this report, will provide financial assistance for property owners within the Downtown and expanded area for community improvement purposes. The proposed policy will contribute to the efficient and economical use of existing infrastructure and services, focus investment within specific areas to support existing commercial activities, and revitalize the Downtown as part of a larger commercial hierarchy, and serve to strengthen the residential neighborhoods which surround the Downtown.

PEM:jcs

Attachs. (2)

APPENDIX 'A' TO REPORT PD02133
PAGE 1 OF 1


N
CANNON
VICTORIA
QUEEN
JAMES
HUNTER


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▭ **OPEN FOR BUSINESS POLICY**
Downtown Area

Filename/number
Downtown Area

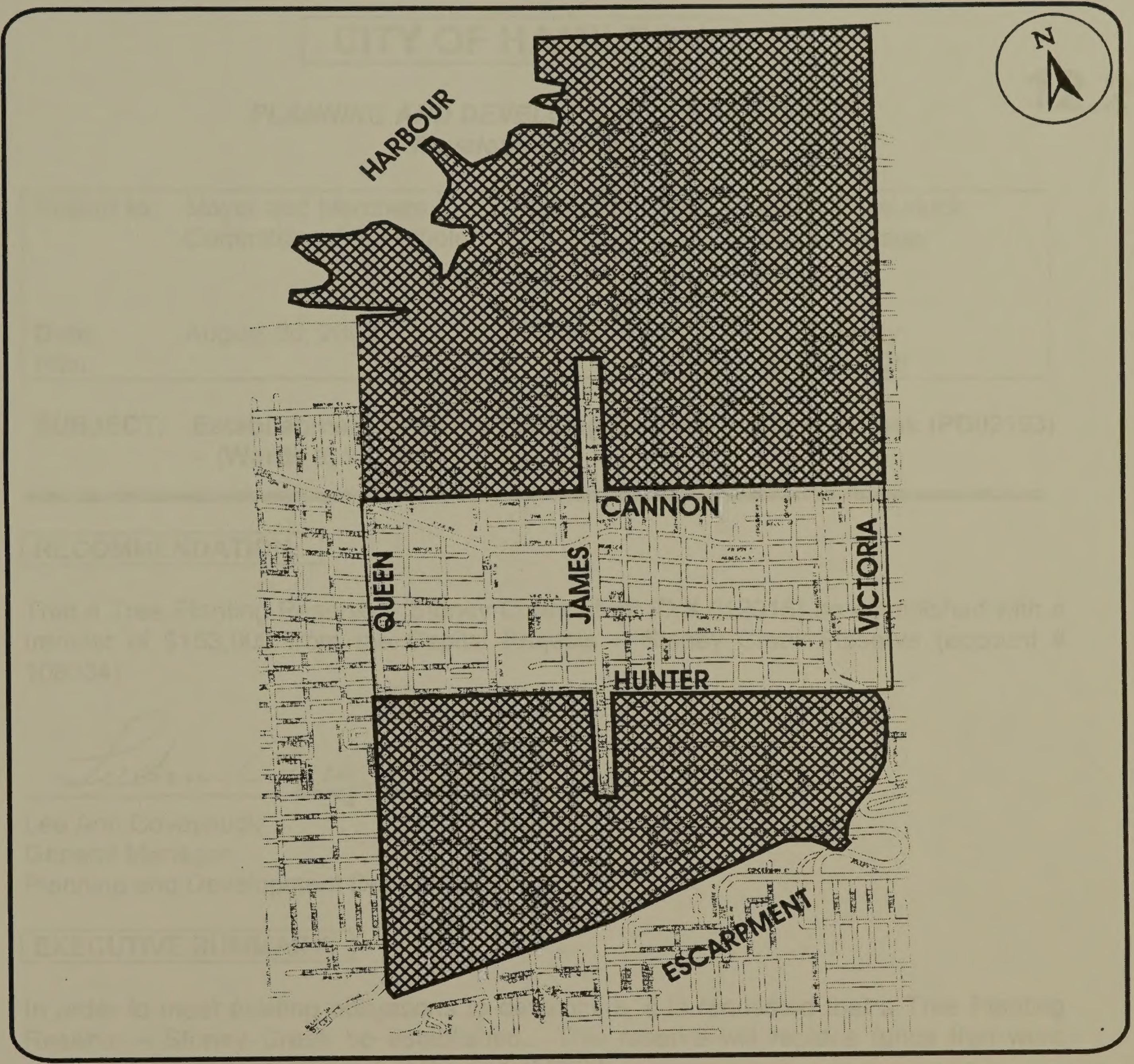
Date
JUNE06, 2002

Technician:
NM

Map Not to Scale

Appendix "A"

APPENDIX 'B' TO REPORT PD02133
PAGE 1 OF 1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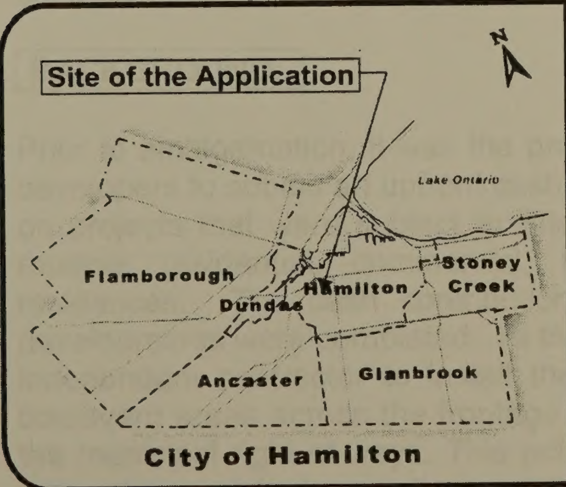
HARBOUR
CANNON
QUEEN
JAMES
VICTORIA
HUNTER
ESCARPMENT


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **OPEN FOR BUSINESS POLICY**
Residential Expansion Area

Filename/number

Date
JUNE06, 2002

Technician:
NM

Map Not to Scale

AFFECTS
WARDS 9,10,11

CITY OF HAMILTON

12.2

PLANNING AND DEVELOPMENT DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Janice Sheehy (905) 546-4108
File:			

SUBJECT: **Establishment of a Tree Planting Reserve in Stoney Creek (PD02193) - (Wards 9, 10, 11)**

RECOMMENDATION:

That a Tree Planting Reserve – Stoney Creek (dept ID # 812015) be established with a transfer of $163,000 from the Capital Projects – Stoney Creek Reserve (account # 108034)

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

In order to meet existing obligations to developers, it is requested that a Tree Planting Reserve – Stoney Creek be established. This reserve will replace funds that were collapsed into general revenue at the end of 2000.

BACKGROUND:

Prior to amalgamation, it was the practice in the former City of Stoney Creek to require developers to submit an upfront cash contribution for street tree plantings. This was done on projects that were subject to Site Plan Control. These developments could include multiple residential, commercial, industrial, institutional and some single family residences. The cash contribution would be held in a holding account until the developments were completed. At that time, City staff would use the funds to engage an independent contractor to install the trees. These trees would be planted within the boulevard areas across the frontage and/or flankage of the subject property adjacent to the municipal right-of-ways. This policy was created to provide a green space corridor within the municipal road allowance throughout the former City of Stoney Creek.

As part of the 2000 year-end process, staff in Stoney Creek was advised that this practice was not consistent with the New City of Hamilton. They were instructed to transfer the net balance in the holding account directly to revenue. Approximately $163,000 was transferred and is therefore no longer available to meet existing obligations to developers.

ANALYSIS OF ALTERNATIVES:

The only alternative available is to utilize funds from operations; however, given the fiscal constraints implemented as part of the 2002 budget process this option is not recommended. The reserve will be required for several years (until developments are completed).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – There will be a reduction of funds available in the Capital Projects Stoney Creek Account. The balance remaining will be approximately $240,000.

Based on Reserve Report FCS01119, the Stoney Creek Capital Reserve is to be used to finance existing or newly identified projects within the former municipality of Stoney Creek.

Staffing – None

Legal – None

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Capital Program and Development Section of the Finance Department.

CITY STRATEGIC COMMITMENT:

Not applicable

:JS

SECTION 14

SECTION 15

AFFECTS WARDS 2 & 7

CITY OF HAMILTON

15.1

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

FINANCE AND CORPORATE SERVICES DEPARTMENT
Budget and Fiscal Policy Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager Joe Rinaldo General Manager
Date: **File:**	August 30, 2002	**Prepared by:**	Peter C. Lampman (905) 546-4653 Tony Del Monaco (905) 546-2790

SUBJECT: Development Charges and Building Permit Fees for the Hamilton Regional Cancer Centre and St. Joseph's Healthcare (PD02186/FCS02100) (Wards 2 & 7)

RECOMMENDATION:

(a) i) That the request by the Hamilton Regional Cancer Centre for the waiving of Building Permit Fees of $107,355 be denied.

ii) That the Building Permit Fees for Hamilton Regional Cancer Centre be paid over a 36 month period with monthly instalments of $2,982.

(b) That the request by the Hamilton Regional Cancer Centre for the waiving of Development Charges of $173,288.23 be denied.

(c) i) That the request by St. Joseph's Healthcare for the waiving of Building Permit Fees of $480,556.80 be denied.

ii) That the Building Permit Fees for St. Joseph's Healthcare be paid over a 36 month period with monthly instalments of $13,350.

(d) That the request by St. Joseph's Healthcare for the waiving of Development Charges of $1,340,363.20 be denied.

Joseph Rinaldo

Lee Ann Coveyduck
General Manager
Planning and Development Department

Joseph L. Rinaldo
General Manager
Finance and Corporate Services Department

EXECUTIVE SUMMARY:

The Hamilton Regional Cancer Centre (HRCC) and St. Joseph's Healthcare (St. Joseph's) have made applications to City Council for the waiving of Building Permit Fees and Development Charges.

Staff has investigated the legality and financial consequences of waiving the fees and charges.

Due to the fact that both the HRCC and St. Joseph's are institutional, City Council can waive fees without it being deemed as bonusing. However, for both Building Permit Fees and Development Charges, the City will have to fund any payments and/or revenue shortfalls from the general levy or water/sewer rates. Also, these properties currently pay an inadequate level of property taxes, so a further subsidy is not warranted.

BACKGROUND:

In 2002, the HRCC made Building Permit application for their redevelopment project on 711 Concession St. (the Regional Cancer Centre at the Henderson Hospital Site). Also in 2002, St. Joseph's applied for a Building Permit for the redevelopment of their existing site bounded by Charlton Avenue, James Street and John Street South.

Subsequent applications have been filed and the Building and Licensing Division has determined Building Permit Fees of $107,355 and Development Charges of $173,288.23 are payable on the HRCC redevelopment and Building Permit fees of $480,556.80 and Development Charges of $1,340,363.20 are payable on the redevelopment of St. Joseph's.

The City was approached requesting a waiving of the Building Permit and Development Charge Fees. Subsequently letters were sent to the City and Council considered the requests and referred the requests to staff for a report back to the Committee of the Whole.

In order to confirm the legality of assisting the HRCC and St. Joseph's with both fees, a review of the Municipal Act was undertaken.

Section 111(1) of the Municipal Act states as follows:

> "1) *Despite any general or special Act, a council shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses in aid thereof, and, without restricting the generality of the foregoing, the council shall not grant assistance by,*
>
> (a) *giving or lending any property of the municipality, including money;*
>
> (b) *guaranteeing borrowing;*
>
> (c) *leasing or selling any property of the municipality at below fair market value;*
>
> (d) *giving a total or partial exemption from any levy, charge or fee."*

Staff has determined that because the HRCC and St. Joseph's are institutional, waiving of the fees would not be considered bonusing and, therefore, the City can waive the fees.

Although an exemption of fees for the redevelopments is not deemed to be bonusing, it will adversely impact the revenue and budget for the Building and Licensing Division and for the financing of growth-related infrastructure works. Currently the Building and Licensing Division operates on the Enterprise Model where service levels are set and all costs associated with Building Permits and Inspections are recovered by the revenue from Building Permit Fees.

The construction industry is supportive of the Enterprise Model and the concept that Building Permit Fees be set at a full cost recovery basis to reflect the actual costs of issuing and inspecting Building Permits. When it comes to Building Permit Fee exemptions, the industry feels that the exemptions should be drawn from the general levy and not raising building permit fees. In the Downtown, under the Open for Business Policy, building permit fees which are exempted are paid to the Building and Licensing Division out of the Downtown Renewal Budget. Simply put, the construction industry objects to their fees paying for other people's exemptions and consider that these exemptions should be paid by the general tax payer since Council is giving the exemption for the good of the community. If this policy is maintained, then the building permit fee exemption would be financed from the 2002 Tax Operating Budget, which staff has already advised is facing a significant deficit (approximately $4.7 million).

ANALYSIS OF ALTERNATIVES:

A) Building Permit Fees

The payment of Building Permit Fees is prescribed in Building Code By-law 01-063. This By-law was developed on the basis of an Enterprise System where fees reflect costs of providing the service. Building Permit Fees entirely pay for delivery of plan examination, administration and inspection with no burden to the general tax levy.

Option #1

Council could grant a fee exemption for these properties, have the costs of providing the plan reviews, site inspections, and associated administration costs (permit fee) funded from the general levy.

Option # 2

Council could allow the HRCC and St. Joseph's to pay the Building Permit Fee over the duration of the construction on a monthly basis. The fees of $107,355 and $480,556.80 could be paid in 36 monthly instalments of $2,982 and $13,350 respectively without any interest charges.

B) Development Charges

The payment of Development Charges in Hamilton is prescribed by By-laws R99-074 (former Region) and 99-118 (former City of Hamilton) and their respective amending By-laws R00-015 and 00-041. Development Charges allow for the recovery of capital costs for services attributable to growth. These services include infrastructure costs such as watermains and sanitary sewers, as well as soft services such as libraries and recreational facilities.

The City of Hamilton through the Development Charge By-laws currently exempt new development in the approximate amount of $6-8 million annually. Approximately $4-5 million of which is for industrial exemptions, $1-2 million in Downtown development exemptions and about $1 million in various other exemptions (ie. Places of Worship, City-owned buildings, and certain farm developments). This means that if all of the growth-related projects noted in the City's Development Charges Background Studies were constructed, this amount would have to be raised through the general tax levy and water/sewer rates.

For example, development charge exemptions of $8 million would require a residential property tax increase in the amount of 3% or $60 per average Hamilton home.

In order to promote economic development, the former Region and each of the former area municipalities' Development Charge By-laws provide for certain exemptions. As mentioned, the City of Hamilton through the Development Charge By-laws currently exempt new development in the approximate amount of $6-8 million annually. As a comparison, the City collects about $12-14 million in development charges annually. That means that approximately 1/3 of new development is already exempt. The idea being that the exemptions will attract development to the City thereby providing future benefits to all residents in the form of an increased tax assessment base, higher employment, economic stimulus, etc. Institutional development is not among the Council-approved exemptions, nor does it pay full property taxes. As noted in earlier staff reports, institutional properties funded by the Province (eg. hospitals, colleges, universities, and correctional facilities) contribute only $1.8 million in payments in lieu of taxes (PIL's) in Hamilton. If fully taxable at the residential rate, these properties would pay about $20 million annually.

Although there is no institutional exemption in our by-laws, this type of development is already receiving a benefit from the City. The Development Charges Act, 1997 allows the City to increase it's Development Charges annually to offset increases in the Construction Price Index. However, to help spur economic development, the City's non-residential rates have not been indexed and have been kept at their 1999 levels. Since these institutional developments are non-residential they are already benefiting from the fact that per square foot charges have been kept low. That translates into a $27,600 savings for the HRCC and $213,900 savings for St. Joseph's as a result of the charge not being indexed for inflation since 1999.

For Council's consideration, there are a range of options in dealing with the requests for development charge fee relief.

Option #1 – No Exemption

This is the recommended option. Under this option the City would not exempt any portion of the development charge owing by the HRCC and St. Joseph's. This option is consistent with existing by-laws which charge institutional development at $4.26 per square foot of gross floor area in the former City of Hamilton.

As noted above, the City recognizes the benefits associated with increased non-residential development and has already made concessions in order to attract development to the City by keeping non-residential rates low. In this respect, the HRCC and St. Joseph's are already receiving a $27,600 and a $213,900 reduction respectively from the City.

In order to mitigate cash-flow concerns, the HRCC and St. Joseph's can enter into a ten-year development charge deferral agreement. This would allow them to pay their charges at any time over a ten-year period with the City charging a modest prime rate of interest (currently 4.5%). No monthly or yearly payments would be required and full or partial payments may be made at any time without penalty.

Option #2 – Partial Exemption (30% of total costs)

The Provincial funding formula for these types of hospital projects is generally 70% of eligible construction costs. Under this option, the City would exempt 30% of the total applicable development charge and therefore levy development charges only against the 70% of total costs that are normally funded by the Province. The reduction would amount to $51,986 for HRCC and $402,109 for St. Joseph's. This allows the City to collect development charges for the portion of costs that the Province is normally willing to subsidize based on a simple application of the 70% / 30% funding spilt. In this respect, the financial assistance the hospitals are receiving from the Province is used to pay for a portion of the development charges. Under this scenario, the City would collect $121,302 ($173,288 x 70%) and forgo $51,986 in development charges from the HRCC. As for St. Joseph's, the City would collect $938,254 (1,340,363 x 70%) and forgo $402,109 in development charges.

This option would still burden the development charge reserves and would diminish the City's ability to fund growth-related Capital projects in the future.

Option #3 – Partial Exemption (33.8% of HRCC total costs; 48.4% of St. Joseph's total costs)

Although the hospital capital grant formulae generally provides a 70% subsidy, certain costs are deemed ineligible, and therefore the effective subsidy rate that the Ministry of Health provides is lower. In this particular case, the HRCC's and St. Joseph's will be receiving Provincial subsidy amounting to 66.2% and 51.6% of total construction costs respectively. Under this option, the City would exempt the Hospital's percentage of the construction costs not actually subsidized by the Province while still collecting development charges on the portion that the Province is funding. Both the HRCC and St. Joseph's are receiving funding from the Provincial government for these projects, therefore the Provincial benefit they are receiving would be used to pay for a portion of the development charges. Under this scenario, the City would collect $114,717 ($173,288 x 66.2%) and forego $58,571 in development charges from the HRCC. As for St. Joseph's, the City would collect $691,627 ($1,340,363 x 51.6%) and forego $648,736 in development charges.

This option would still burden the development charge reserves and would diminish the City's ability to fund growth-related Capital projects in the future.

Option #4 – Total Exemption

Under this option, the full development charges of $173,288 (HRCC) and $1,340,363 (St. Joseph's) would be exempted. This course of action would diminish the City's development charge reserves and leave them in a weaker position for the future.

These exemptions may prove to be a financial burden to the City if future growth-related projects cannot be funded via development charge reserves and, therefore, require increased financing from the general tax levy or water/sewer rates. Since most of the exemptions are in place to attract non-residential development, some of the non-residential development charge reserves are already in a negative position (e.g., roads, police). Exempting a large project of this nature will only compound the problem.

Exempting the HRCC and St. Joseph's would set a precedent for other institutional development that may occur in the future, further depleting development charge revenues. Also, institutional development that has paid in the past (nursing homes for example) may feel slighted and may get the impression that the HRCC and St. Joseph's are being favoured over other institutions.

Since the Province is funding a portion of the construction costs, a total exemption would be a lost opportunity to have the province pay the full cost of municipal services to the City. The province is willing to ease the HRCC's and St. Joseph's financial burden by subsidizing eligible costs, which include development charge payments.

Staff recommend Option #1.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – The City of Hamilton through the Development Charge By-Laws established by the former area municipalities and the former Region currently exempt new development in the approximate amount of $6-8 million annually. If all of the required growth-related projects noted in the City's development charge background studies were constructed, the City would have to fund the amount of the exemptions from the general tax levy and water/sewer rates. In addition, the Province only pays about $1.8 million annually in PIL's for institutional properties when it should be paying at least $20 million annually to the City.

Development Charge Levy Options #2 and #3 recognize that charging development charges at a minimum based on the Provincial funding formulae for these projects, ensures that Provincial dollars will be used to some extent to offset the City's costs.

Staffing – No implications.

Legal – The recommended option (Option 1) would not have any Legal implications.

Applicable Development Charge By-laws may need to be amended to provide for institutional exemptions should Options 2, 3, or 4 be selected.

POLICIES AFFECTING PROPOSAL:

The recommended option (Option 1) would not contravene an established City policy.

Options 2, 3, and 4 will set a precedent for exempting institutional development either in whole or in part. Corresponding By-laws may then need revisions.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Finance and Corporate Services Department
Planning and Development Department - Building and Licensing Division
Hamilton Regional Cancer Centre
St. Joseph's Healthcare

CITY STRATEGIC COMMITMENT:

1.b	Investment in Infrastructure
1.d	Attracting and Retaining Business
2.f	VISION 2020 – A Sustainable City
5.a	Maintain Service Levels

PCL:fd

SECTION 1

SECTION 17

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

17.1

FINANCE AND CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Councillor Sam Merulla on behalf of the City of Hamilton Taxi Reform Sub-Committee
Date:	July 18, 2002	**Prepared by:**	Ida Bedioui 905 546-4605

SUBJECT: Taxi Reform Sub-Committee Report 02-001– (City Wide)

RECOMMENDATIONS:

THE TAXI REFORM SUB-COMMITTEE, HAVING MET ON JULY 17, 2002, PRESENTS REPORT 02-001 AND RESPECTFULLY RECOMMENDS:

1. **Harmonized By-law for the City of Hamilton/Borders of former Area Municipalities**

(a) That taxi cabs licensed by the City of Hamilton have open access across the new City and that all previous borders defined by the former municipalities amalgamated into the new City be eliminated, and include the following regulations:

(i) That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry;

(ii) That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population.

(iii) That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

(1) Submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R;

(2) Consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup;

(3) Increase in number of dispatched trips by a brokerage;

(4) Increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants);

(5) Population related factors such as overall population increase or decrease, change in apartment or townhouse population, change in caseload for Social Service, and change in senior citizen population;

(6) Taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods);and

(7) Industry consultation

2. **Owner Operated Taxicabs and Leasing**

(a) That all taxi plate owners be required to be directly engaged in the management or day to day operations of their taxi plate(s).

(b) Plate owners may enter into only one lease agreement per plate in the City of Hamilton at any one time.

(c) The lessee must personally operate the leased taxi cab plate a minimum of five eight hour shifts per week.

(d) All parties named in the lease agreement shall provide thirty days written notice to the respective party and to the City of Hamilton Licensing Authority prior to terminating the lease agreement.

(e) The City of Hamilton Licensing Authority shall have the authority to refuse to issue a lease agreement and/or rescind a lease agreement.

(f) The lessee must affix the taxi cab plate on the vehicle within seven days of undertaking the lease agreement.

(g) All lessees must have a current City of Hamilton Taxi Cab Driver license.

(h) That an administration fee of $50 be charged for the late registration of a lease agreement with the City of Hamilton Licensing Authority.

(i) Lessees cannot undertake more than one lease agreement at any time in the City of Hamilton.

(j) Subject to a five year phase in period, a taxicab Broker shall not act as an Agent or party to any lease agreement between the lessor and lessee.

3. **Priority List and the Issuance of Taxicab Plates**

(a) That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry

(b) That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population.

(c) That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

(i) Submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R;

(ii) Consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup

(iii) Increase in number of dispatched trips by a brokerage

(iv) Increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants)

(v) Population related factors such as overall population increase or decrease, change in apartment or townhouse population, change in caseload for Social Service, and change in senior citizen population

(vi) Taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods)

(vii) Industry consultation

(d) That the City of Hamilton offer a reduced taxi cab licensing and/or renewal fee to those taxi cabs operating within the communities of the former area municipalities to maintain service levels.

(e) That the existing priority lists for the former Cities of Hamilton (141 names) and Stoney Creek (15) be maintained and merged.

4. **Inactive Taxicab Plates**

(a) That staff undertake further investigation into the activity of all plates in the former area municipalities, and require the former area municipality taxicab plate owners to provide documentation that their respective taxicab plates were actively engaged in the taxi industry for the past three years.

(b) That those former area municipality taxicab plate owners that cannot provide documentation for their respective taxicab plates be denied a taxi owner plate for the City of Hamilton.

(c) Not withstanding b), any former area municipality taxicab plate owner who is denied a taxi owner plate has the right to appeal to the Licensing Committee.

(d) That the following documentation be required to be submitted to the Issuer of Licenses in order to establish the activity of a taxicab plate, and that the documentation cover the time period from 1996 to present date:

- certificate of insurance for the subject vehicle(s)
- drivers' lists
- trip sheets
- mechanical safety certificates
- taxicab drivers to provide T4's

- City inspection certificates
- vehicle ownership

5. **Wheelchair Accessible Taxicabs**

That the issuance of Wheelchair Accessible Taxicab plates be tabled until further consultation is undertaken with the D.A.R.T.S. program administrators.

6. **Customer Service**

(a) That the City of Hamilton improve customer service and create the delivery of top rate service to the taxi riding public through a one-tiered taxi system with new taxi cab plates being issued as the increase in population requires.

(b) That the City of Hamilton adopt:

(i) a Taxicab Passenger Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of their rights; and

(ii) a Taxicab Driver Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of the rights of the Taxicab Driver.

(c) That the City of Hamilton adopt a customer complaints/compliments hotline utilizing 546-CITY, and adopting a follow-up and resolution process.

7. **Quality of Vehicles**

(a) That the use of a spare taxi cab vehicle(s) be limited to operate seven consecutive days; and

(b) That the licensee must notify the City Of Hamilton Licensing Authority prior to placing a spare vehicle in use and identify the licensed taxi cab vehicle the spare is replacing.

(c) That safety and mechanical inspection certificates shall be submitted to the City of Hamilton Licensing Authority pursuant to the age restriction program requirements.

(d) That the City of Hamilton tender for the inspections of safety and mechanical fitness pursuant to Ministry of Transportation regulations for taxi cab vehicles by a qualified mechanic. These safety certificates are to be submitted to the municipality for licensing or renewal of licensing of the taxi cab vehicle.

(e) That a licensee be limited to one spare vehicle per five licensed taxicab vehicles to a maximum of three spare vehicles.

(f) Spare taxicab vehicle(s) must be inspected by the City of Hamilton Licensing Authority prior to the taxi cab owner's plate being approved for renewal.

(g) That the City of Hamilton include the following age restrictions for those vehicles licensed to operate as taxicabs as follows:

(i) That a new taxi license will be issued to vehicles which are three (3) model years old or newer.

(ii) That an existing taxi license will be renewed to those vehicles that are no older than ten (10) model years and meet the requirements of the City of Hamilton Licensing Inspector.

(iii) That a vintage plate be issued to vehicles ten (10) model years of age and older that meet the requirements of the City of Hamilton Licensing inspector.

(iv)And that this age restriction program for currently licensed taxicab vehicles be phased in over a three-year period.

(h) That the City of Hamilton require mechanical and safety inspections for each taxi cab vehicle to be licensed or to renew a license, as follows:

(i) That taxi cab vehicles with a model of three (3) years of age or less be required to undergo mechanical inspections and City of Hamilton inspections one time per year.

(ii) That taxi cab vehicles with a model year more than three (3) years old to a maximum of ten (10) years old be required to undergo mechanical inspections and City of Hamilton inspections as follows:

Three (3) to five (5) years must be inspected twice per year

Six (6) to ten (10) years must be inspected three times per year

The Sub-Committee requested that the added cost of undertaking more inspections be charged to the owner of the older vehicle and that the owner be required to sign an agreement with the City.

8. **Driver Training and Safety**

(a) That the City of Hamilton develop an enhanced and expanded taxi driver training program beyond the existing requirements for new and currently licensed taxi drivers.

(i) That all new drivers be required to undertake this training program.

(ii) That all existing licensed taxi drivers be required to undertake the training program within three years of the date of enactment of this schedule of the City of Hamilton Licensing Code.

(iii) That this training program include an in-car component, as well as in-class tests and sessions to encompass geography, customer service, tourism, hospitality, defensive driving, communication skills, cab maintenance, by-law provisions and monetary transactions.

(iv) That only those persons successfully completing the aforementioned training course will be issued a taxi driver licence in the City of Hamilton, and will undergo re-testing as deemed necessary by the City of Hamilton Licensing Authority.

(v) And that the City of Hamilton play a regulatory rather than an administrative role in the provision of the driver training program.

(b) That all taxicabs operating in the City of Hamilton be equipped with an exterior emergency lighting warning system to provide safety for the taxicab driver.

(c) That within the next five years, all taxicabs be equipped with a G.P.S. system and other safety alternatives, and cameras.

9. Increased Municipal Enforcement

(a) That Municipal Enforcement Officers have the authority, if the Officer deems public safety is at risk, to:

(i) remove a taxi cab from service;

(ii) remove the City of Hamilton taxi plate; and/or

(iii) have the taxicab towed to a municipal compound.

(b) That the City of Hamilton establish a fine structure to ensure that the appropriate deterrents are in place for those persons or vehicles not in compliance with the City of Hamilton Licensing Code.

(c) That the Building and Licensing Division complement be increased by one F.T.E. to provide a dedicated taxi enforcement program.

Councillor Sam Merulla, Chairman
City of Hamilton Taxi Reform Sub- Committee

EXECUTIVE SUMMARY:

The Sub-Committee based its aforementioned recommendations on the staff report entitled Taxi Industry Reform Report (PD01120(b)), dated May 14, 2002, which is attached, and input received from the taxi industry.

BACKGROUND:

On July 10, 2001, Council approved the formation of a Taxi Reform Sub-Committee to deal with the issues relating to the amalgamation and proposed reforms to the taxi industry.

The Sub-Committee met eight times, including two Public Meetings. The first Public Meeting was held on October 22, 2001 and the second on November 19, 2001. Notices of the meetings were mailed to stakeholders of the taxi industry (including participants and customers) and advertised in the local papers. The meetings were well attended and the Sub-Committee heard many delegates and received many written submissions. Furthermore, as per the Sub-Committee's directives, Licensing staff held consultations with the industry stakeholders, the results of which are in the attached Staff Report (PD01120(b)).

The Sub-Committee heard a presentation from Mr. Glenn Steeves, who is a staff member of the Taxi Reform Committee of the City of Toronto. In addition, Hamilton staff and one Taxi Sub-Committee member attended a conference in Ottawa to learn how the newly amalgamated City is addressing various issues of amalgamation in relation to its taxi industry.

Following the Sub-Committee's last meeting, and after it had approved the aforementioned recommendations, additional letters were submitted from members of the taxi industry on August 6, 2002. These letters are attached for your information.

ANALYSIS OF ALTERNATIVES:

Alternative recommendations are included in the attached staff report (PD01120(b)).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Building and Licensing Division staff have indicated that the cost of the proposed addition of an F.T.E to increase municipal enforcement (see recommendation 9 (c)) has already been included in this year's budget and therefore will not have any additional financial affects.

Other financial, staffing and legal implications are covered in Staff Report PD01120(b) (attached) and also in a Private and Confidential Report from legal staff which will be distributed at the Committee of the Whole Meeting (In Camera).

POLICIES AFFECTING PROPOSAL:

Subject to the Committee of the Whole adopting this report, the City's Legal Department will prepare a new Comprehensive Taxi Licensing By-law and the existing licensing by-laws of the former Cities of Hamilton and Stoney Creek and the former Towns of Flamborough, Dundas and Ancaster will be repealed. The target date for the new by-law is the fall of 2002.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

As previously mentioned, input from the legal services division has been received.

CITY STRATEGIC COMMITMENT:

These issues are covered in Staff Report PD01120(b).

Attached: Taxi Industry Reform Report (PD01120(b)) and copies of correspondence.

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

FINANCE AND CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Councillor Sam Merulla on behalf of the City of Hamilton Taxi Reform Sub-Committee
Date:	July 18, 2002	**Prepared by:**	Ida Bedioui 905 546-4605

SUBJECT: Taxi Reform Sub-Committee Report 02-001– (City Wide)

RECOMMENDATIONS:

THE TAXI REFORM SUB-COMMITTEE, HAVING MET ON JULY 17, 2002, PRESENTS REPORT 02-001 AND RESPECTFULLY RECOMMENDS:

1. **Harmonized By-law for the City of Hamilton/Borders of former Area Municipalities**

   (a) That taxi cabs licensed by the City of Hamilton have open access across the new City and that all previous borders defined by the former municipalities amalgamated into the new City be eliminated, and include the following regulations:

   (i) That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry;

   (ii) That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population.

   (iii) That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

   (1) Submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R;

   (2) Consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup;

   (3) Increase in number of dispatched trips by a brokerage;

   (4) Increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants);

(5) Population related factors such as overall population increase or decrease, change in apartment or townhouse population, change in caseload for Social Service, and change in senior citizen population;

(6) Taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods);and

(7) Industry consultation

2. Owner Operated Taxicabs and Leasing

(a) That all taxi plate owners be required to be directly engaged in the management or day to day operations of their taxi plate(s).

(b) Plate owners may enter into only one lease agreement per plate in the City of Hamilton at any one time.

(c) The lessee must personally operate the leased taxi cab plate a minimum of five eight hour shifts per week.

(d) All parties named in the lease agreement shall provide thirty days written notice to the respective party and to the City of Hamilton Licensing Authority prior to terminating the lease agreement.

(e) The City of Hamilton Licensing Authority shall have the authority to refuse to issue a lease agreement and/or rescind a lease agreement.

(f) The lessee must affix the taxi cab plate on the vehicle within seven days of undertaking the lease agreement.

(g) All lessees must have a current City of Hamilton Taxi Cab Driver license.

(h) That an administration fee of $50 be charged for the late registration of a lease agreement with the City of Hamilton Licensing Authority.

(i) Lessees cannot undertake more than one lease agreement at any time in the City of Hamilton.

(j) Subject to a five year phase in period, a taxicab Broker shall not act as an Agent or party to any lease agreement between the lessor and lessee.

3. Priority List and the Issuance of Taxicab Plates

(a) That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry

(b) That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population.

(c) That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

(i) Submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R;

(ii) Consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup

(iii) Increase in number of dispatched trips by a brokerage

(iv) Increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants)

(v) Population related factors such as overall population increase or decrease, change in apartment or townhouse population, change in caseload for Social Service, and change in senior citizen population

(vi) Taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods)

(vii) Industry consultation

(d) That the City of Hamilton offer a reduced taxi cab licensing and/or renewal fee to those taxi cabs operating within the communities of the former area municipalities to maintain service levels.

(e) That the existing priority lists for the former Cities of Hamilton (141 names) and Stoney Creek (15) be maintained and merged.

4. **Inactive Taxicab Plates**

(a) That staff undertake further investigation into the activity of all plates in the former area municipalities, and require the former area municipality taxicab plate owners to provide documentation that their respective taxicab plates were actively engaged in the taxi industry for the past three years.

(b) That those former area municipality taxicab plate owners that cannot provide documentation for their respective taxicab plates be denied a taxi owner plate for the City of Hamilton.

(c) Not withstanding b), any former area municipality taxicab plate owner who is denied a taxi owner plate has the right to appeal to the Licensing Committee.

(d) That the following documentation be required to be submitted to the Issuer of Licenses in order to establish the activity of a taxicab plate, and that the documentation cover the time period from 1996 to present date:

- certificate of insurance for the subject vehicle(s)
- drivers' lists
- trip sheets
- mechanical safety certificates
- taxicab drivers to provide T4's

- City inspection certificates
- vehicle ownership

5. Wheelchair Accessible Taxicabs

That the issuance of Wheelchair Accessible Taxicab plates be tabled until further consultation is undertaken with the D.A.R.T.S. program administrators.

6. Customer Service

(a) That the City of Hamilton improve customer service and create the delivery of top rate service to the taxi riding public through a one-tiered taxi system with new taxi cab plates being issued as the increase in population requires.

(b) That the City of Hamilton adopt:

(i) a Taxicab Passenger Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of their rights; and

(ii) a Taxicab Driver Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of the rights of the Taxicab Driver.

(c) That the City of Hamilton adopt a customer complaints/compliments hotline utilizing 546-CITY, and adopting a follow-up and resolution process.

7. Quality of Vehicles

(a) That the use of a spare taxi cab vehicle(s) be limited to operate seven consecutive days; and

(b) That the licensee must notify the City Of Hamilton Licensing Authority prior to placing a spare vehicle in use and identify the licensed taxi cab vehicle the spare is replacing.

(c) That safety and mechanical inspection certificates shall be submitted to the City of Hamilton Licensing Authority pursuant to the age restriction program requirements.

(d) That the City of Hamilton tender for the inspections of safety and mechanical fitness pursuant to Ministry of Transportation regulations for taxi cab vehicles by a qualified mechanic. These safety certificates are to be submitted to the municipality for licensing or renewal of licensing of the taxi cab vehicle.

(e) That a licensee be limited to one spare vehicle per five licensed taxicab vehicles to a maximum of three spare vehicles.

(f) Spare taxicab vehicle(s) must be inspected by the City of Hamilton Licensing Authority prior to the taxi cab owner's plate being approved for renewal.

(g) That the City of Hamilton include the following age restrictions for those vehicles licensed to operate as taxicabs as follows:

(i) That a new taxi license will be issued to vehicles which are three (3) model years old or newer.

(ii) That an existing taxi license will be renewed to those vehicles that are no older than ten (10) model years and meet the requirements of the City of Hamilton Licensing Inspector.

(iii) That a vintage plate be issued to vehicles ten (10) model years of age and older that meet the requirements of the City of Hamilton Licensing inspector.

(iv)And that this age restriction program for currently licensed taxicab vehicles be phased in over a three-year period.

(h) That the City of Hamilton require mechanical and safety inspections for each taxi cab vehicle to be licensed or to renew a license, as follows:

(i) That taxi cab vehicles with a model of three (3) years of age or less be required to undergo mechanical inspections and City of Hamilton inspections one time per year.

(ii) That taxi cab vehicles with a model year more than three (3) years old to a maximum of ten (10) years old be required to undergo mechanical inspections and City of Hamilton inspections as follows:

Three (3) to five (5) years must be inspected twice per year

Six (6) to ten (10) years must be inspected three times per year

The Sub-Committee requested that the added cost of undertaking more inspections be charged to the owner of the older vehicle and that the owner be required to sign an agreement with the City.

8. Driver Training and Safety

(a) That the City of Hamilton develop an enhanced and expanded taxi driver training program beyond the existing requirements for new and currently licensed taxi drivers.

(i) That all new drivers be required to undertake this training program.

(ii) That all existing licensed taxi drivers be required to undertake the training program within three years of the date of enactment of this schedule of the City of Hamilton Licensing Code.

(iii) That this training program include an in-car component, as well as in-class tests and sessions to encompass geography, customer service, tourism, hospitality, defensive driving, communication skills, cab maintenance, by-law provisions and monetary transactions.

(iv) That only those persons successfully completing the aforementioned training course will be issued a taxi driver licence in the City of Hamilton, and will undergo re-testing as deemed necessary by the City of Hamilton Licensing Authority.

(v) And that the City of Hamilton play a regulatory rather than an administrative role in the provision of the driver training program.

(b) That all taxicabs operating in the City of Hamilton be equipped with an exterior emergency lighting warning system to provide safety for the taxicab driver.

(c) That within the next five years, all taxicabs be equipped with a G.P.S. system and other safety alternatives, and cameras.

9. Increased Municipal Enforcement

(a) That Municipal Enforcement Officers have the authority, if the Officer deems public safety is at risk, to:

(i) remove a taxi cab from service;

(ii) remove the City of Hamilton taxi plate; and/or

(iii) have the taxicab towed to a municipal compound.

(b) That the City of Hamilton establish a fine structure to ensure that the appropriate deterrents are in place for those persons or vehicles not in compliance with the City of Hamilton Licensing Code.

(c) That the Building and Licensing Division complement be increased by one F.T.E. to provide a dedicated taxi enforcement program.

Councillor Sam Merulla, Chairman
City of Hamilton Taxi Reform Sub- Committee

EXECUTIVE SUMMARY:

The Sub-Committee based its aforementioned recommendations on the staff report entitled Taxi Industry Reform Report (PD01120(b)), dated May 14, 2002, which is attached, and input received from the taxi industry.

BACKGROUND:

On July 10, 2001, Council approved the formation of a Taxi Reform Sub-Committee to deal with the issues relating to the amalgamation and proposed reforms to the taxi industry.

The Sub-Committee met eight times, including two Public Meetings. The first Public Meeting was held on October 22, 2001 and the second on November 19, 2001. Notices of the meetings were mailed to stakeholders of the taxi industry (including participants and customers) and advertised in the local papers. The meetings were well attended and the Sub-Committee heard many delegates and received many written submissions. Furthermore, as per the Sub-Committee's directives, Licensing staff held consultations with the industry stakeholders, the results of which are in the attached Staff Report (PD01120(b)).

The Sub-Committee heard a presentation from Mr. Glenn Steeves, who is a staff member of the Taxi Reform Committee of the City of Toronto. In addition, Hamilton staff and one Taxi Sub-Committee member attended a conference in Ottawa to learn how the newly amalgamated City is addressing various issues of amalgamation in relation to its taxi industry.

Following the Sub-Committee's last meeting, and after it had approved the aforementioned recommendations, additional letters were submitted from members of the taxi industry on August 6, 2002. These letters are attached for your information.

ANALYSIS OF ALTERNATIVES:

Alternative recommendations are included in the attached staff report (PD01120(b)).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Building and Licensing Division staff have indicated that the cost of the proposed addition of an F.T.E to increase municipal enforcement (see recommendation 9 (c)) has already been included in this year's budget and therefore will not have any additional financial affects.

Other financial, staffing and legal implications are covered in Staff Report PD01120(b) (attached) and also in a Private and Confidential Report from legal staff which will be distributed at the Committee of the Whole Meeting (In Camera).

POLICIES AFFECTING PROPOSAL:

Subject to the Committee of the Whole adopting this report, the City's Legal Department will prepare a new Comprehensive Taxi Licensing By-law and the existing licensing by-laws of the former Cities of Hamilton and Stoney Creek and the former Towns of Flamborough, Dundas and Ancaster will be repealed. The target date for the new by-law is the fall of 2002.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

As previously mentioned, input from the legal services division has been received.

CITY STRATEGIC COMMITMENT:

These issues are covered in Staff Report PD01120(b).

Attached: Taxi Industry Reform Report (PD01120(b)) and copies of correspondence.

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Chairman and Members Taxi Industry Reform Sub-Committee City of Hamilton	**Submitted by**:	Lee Ann Coveyduck General Manager
Date: **File:**	May 14, 2002	**Prepared by:**	Doug Rose (905) 546-4586

SUBJECT: Taxi Industry Reform Report (PD01120(b)) (City Wide)

RECOMMENDATION:

(a) That the Taxi Industry Reform Sub-Committee receive Report PD01120(b).

(b) That the recommendations of the Taxi Industry Reform Sub-Committee be provided directly to City Council for consideration.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This report provides extensive information in response to the direction received from the Taxi Industry Reform Sub-committee to staff at their meeting dated April 4, 2002, in the following areas:

A. Comments from industry stakeholders on the proposed recommendations.

B. Comparisons to other municipalities respecting:

- the plate issuance ratio of number plates issued per population;
- taxi fares;
- are minimum fares and/or flat rates charged

- charge backs for inspections
- criteria established for issuance of new taxicab plates

C. History of assaults and robberies related to taxicab drivers.

D. Criteria for refusal to issue a license.

E. Development of criteria to establish active taxicab plate status.

F. Details of the former City of Hamilton and City of Stoney Creek priority list.

G. The validity of seeking special legislation to maintain the borders of the prior municipalities.

This report provides all input from the industry stakeholders respecting those major issues where the industry and staff achieved consensus and those areas where consensus was not attainable. Each of these areas is discussed in the report. The discussion includes staff recommendations, and consultations with all cab companies currently operating in the City: Blue Line Taxi, Flamborough Taxi, the Hamilton Taxi Co-o, Veteran's Taxi, Waterdown Taxi and Yellow Cab. In some cases the original staff recommendations have been revised to reflect the concerns expressed by the industry stakeholders. In each case the report identifies the Option the taxi broker/company supports to address taxi industry reform in the City. The five options or approaches to taxi industry reform, which are designed to address the major issues identified by staff and industry stakeholders are as follows:

(1) Maintain the status quo

(2) Implement the two-tiered Ambassador Taxi Cab Program

(3) Implement a Modified Two-Tiered (Ambassador) Taxicab Program

(4) Implement a one-tiered enhanced licensing program

(5) Open Entry to the Taxicab Industry

Following the implementation of one of the five Options, staff will undertake a review of the implemented Option to measure review of the implemented Option to measure its impact on the taxi industry in the City to determine the:

- need for the issuance of plates
- impact of (former municipal) boundaries
- level of safety for clients and drivers

- customer satisfaction
- effectiveness of the harmonized by-law and enforcement
- establishment of criteria for issuance of plates.

Staff will provide an update report to Council outlining a detailed analysis of the taxi industry at that time, and an analysis of all recommendations undertaken at this time.

BACKGROUND:

The Taxi Industry Reform Committee met on April 4, 2002, to review the City of Hamilton Taxi Industry Reform Report (PD01120(a)). As a result of the extensive discussion that took place respecting the major amalgamation and reform issues, and the four options outlined in the report, Committee directed staff to provide the following information:

A. Comments from industry stakeholders on the proposed recommendations.

B. Comparisons to other municipalities respecting:

  - the plate issuance ratio of number plates issued per population;
  - taxi fares;
  - are minimum fares and/or flat rates charged
  - charge backs for inspections
  - criteria established for issuance of new taxicab plates

C. History of assaults and robberies related to taxicab drivers.

D. Criteria for refusal to issue a license.

E. Development of criteria to establish active taxicab plate status.

F. Details of the former City of Hamilton and City of Stoney Creek priority list.

G. The validity of seeking special legislation to maintain the borders of the prior municipalities.

A. COMMENTS FROM INDUSTRY STAKEHOLDERS ON THE PROPOSED RECOMMENDATIONS

Staff met with all the taxicab brokers currently operating throughout the amalgamated City of Hamilton:

Blue Line:
- serves Hamilton, Ancaster and Stoney Creek;

Flamborough Taxi:
- Serves Flamborough

Hamilton Taxi Co-op:
- Operate in Hamilton

Veteran's Taxi:
- Serves Hamilton, Flamborough, Dundas, Stoney Creek

Waterdown Taxi:
- Serves Flamborough

Yellow Cab:
- Serves Hamilton and Dundas

Following is a synopsis of staff findings respecting each of the issues and Options offered in the City of Hamilton Taxi Industry Reform Report (PD01120(a)).

1. Harmonized By-law for the City of Hamilton / Borders of former Area Municipalities

Recommendations:

- That taxi cabs licensed by the City of Hamilton have open access across the new City and that all previous borders defined by the former municipalities amalgamated into the new City be eliminated, and include the following regulations:
- That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry.
- That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population. **
- That the issuance of taxi plates following the yearly review be issued on a lottery basis in accordance with established criteria to qualify for the lottery.

Revised Recommendation: **

❖ That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

- submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R.;
- consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup
- increase in number of dispatched trips by a brokerage
- increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants)
- population related factors
    - overall population increase/decrease
    - change in apartment / townhouse population
    - change in caseload for Social Assistance
    - change in senior citizen population
- taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods)
- industry consultation

The issuance of taxicab plates should be based on a composite picture of the municipality's needs, based on the information provided from the above proposed criteria.

Consultation:

Blue Line Taxi:

- Support the removal of the borders and the enactment of a harmonized by-law for the amalgamated City of Hamilton.
- Support Option #3: Implementation of a Modified Two-Tiered (Ambassador) Taxicab Program

Flamborough Taxi:

- Support the removal of the borders and the enactment of a harmonized by-law for the amalgamated City of Hamilton.

- Support Option #4: One-tiered enhanced licensing program.

- Expressed concern that his company will be limited in its capacity to grow if new plates cannot be acquired.

- Supports the concept of the City issuing plates based on an individual's business requirements. Most importantly, Mr. Henry is concerned that the inability to acquire taxicab plates will not allow his company to grow and address the increased population growth, which he anticipates will result, due to the proposed development in the former Town of Flamborough.

- Noted that there are many violations currently taking place insofar as Hamilton taxicabs servicing the Flamborough area.

Hamilton Co-op Taxi Association:

- Realize a harmonized by-law for the new City is inevitable, and support the proposal of a phased in approach to the elimination of the borders so that there is no windfall or disadvantage to anyone.
- Support Option #3: Implementation of a Modified Two-Tiered (Ambassador) Taxicab Program

Veterans Taxi:

- Support the removal of the borders and the enactment of a harmonized by-law for the amalgamated City of Hamilton.

- Support Option #4: One-tiered enhanced licensing program.

- Support the creation of a Taxi Advisory Committee comprised of industry stakeholders, Council representation and staff.

- Support the concept that the issuance of new taxicab plates or temporary taxicab plates to an interested party be based on the submission of a Business Plan to the Issuer of Licenses. The proposed business plan would be reviewed based on the validity of the information provided, and whether or not it would substantiate the issuance of a new taxicab plate, or a temporary taxicab plate for the purpose of addressing special events or extenuating circumstances.

Waterdown Taxi:

- Support the removal of the borders and the enactment of a harmonized by-law for the amalgamated City of Hamilton.

- Support Option #4: One-tiered enhanced licensing program.

- Does not support Option #3 as this would not allow any value to be assigned to Flamborough taxicab plates. In September 2000, Town of Flamborough Council, at the request of the City of Hamilton, enacted a moratorium on the issuance of taxicab plates to circumvent the issuance of plates to those companies who might try to take advantage of the upcoming amalgamation. Prior to this capping the Town of Flamborough issued taxicab plates to applicants that met the requirements of the By-law. This capping effectively added a value to the existing taxicab plates licensed by the former Town of Flamborough.

- Disagree with Option #3, the statement that plates in Flamborough do not have any value is false. If the taxicab plate owners were not permitted to sell, transfer or lease this would immediately increase the value of Hamilton taxicab plates and render no value to Flamborough plates, which would be unethical and discriminatory.

- When considering plate value, not only does the capping of plate issuance add value to the plate but the actual monies earned by an active taxicab plate should also be considered when determining a plate's value.

- Does not support a phase in period for the harmonization of the former municipalities, as it will cause further enforcement problems. Pointed out that Hamilton taxis are advertising in the yellow pages as serving Waterdown.

Yellow Cab:

- Agree with a harmonized by-law, the elimination of the borders and the corresponding recommendations.

- Support Option #4. One-tiered enhanced licensing program.

2. Owner Operated Taxicabs and Leasing

Recommendations:

- That all taxi plate owners be required to be directly engaged in the management or day to day operations of their taxi plate(s).

- Plate owners may enter into only one lease agreement per plate in the City of Hamilton at any one time.

- The lessee must personally operate the leased taxi cab plate a minimum of five eight hour shifts per week.

- All parties named in the lease agreement shall provide thirty days written notice to the respective party and to the City of Hamilton Licensing Authority prior to terminating the lease agreement.

- The City of Hamilton Licensing Authority shall have the authority to refuse to issue a lease agreement and/or rescind a lease agreement.

- The lessee must affix the taxi cab plate on the vehicle within seven days of undertaking the lease agreement.

- All lessees must have a current City of Hamilton Taxi Cab Driver license.

- That an administration fee of $50 be charged for the late registration of a lease agreement with the City of Hamilton Licensing Authority.

- Lessee cannot undertake more than one lease agreement at any time in the City of Hamilton.

- A taxicab Broker shall not act as an Agent or party to any lease agreement between the lessor and lessee.

Consultation:

Blue Line Taxi:

- Agree that absentee taxicab plate owners do not contribute, and stated that absentee taxicab plate owners should be induced to leave the taxi industry.

- Leasing system should continue as is insofar as the plate owner is linked directly to the plate user.
- Support the concept that taxicab brokers act as agents between the plate owner and lessee to ensure the plate is properly operated.

- The lease agreement should be honoured for the full term of the lease unless there is a breach of contract. Criteria should be developed to determine the circumstances, which would cause a breach of a lease agreement or contract.

Flamborough Taxi:

- Disagrees with leasing system as it creates another middleman.

- Supports the Town of Oakville leasing system, which permits individuals to lease the taxicab plate on a per shift, per day and/or per week basis.

- Stated that they oppose the adoption of Option #3 as this would render no value to their plates and would not allow the sale, transfer or leasing of Flamborough plates.

Hamilton Co-op Taxi Association:

- Support that the plate owner should be directly linked to the plate user.

- Favour one lease per plate, and the lessee should be allowed to hire up to three drivers to operate the taxicab.

- Support all of the recommendations related to leasing, and stated that multi lessors have the worst quality of vehicles and some are not directly participating in the industry.

- There should be no agents allowed to advocate a leasing agreement; the plate owner should deal directly with the lessee.

- Agree that plate owners should engage in the day to day operation of the taxi business.

- Stated that a plate owner who has previously worked in the industry and is now retired should be acknowledged as active in the industry with respect to eligibility.

Veterans Taxi:

- Agree that leasing needs more stability, and that multi leasing is a problem within the industry.

- Cancellation of a lease by either party should be undertaken only when there is proper cause.

- The City should develop criteria to determine what circumstances would validate the cancellation of a lease agreement.

Waterdown Taxi:

- Reiterated that they oppose the adoption of Option #3 as this would render no value to their plates and would not allow the sale, transfer or leasing of Flamborough plates.

Yellow Cab:

- While agree plate owners should be directly involved in the management or day to day operation, this clause should be grandfathered in fairness to current owners who could be hardshipped by this new requirement.
- Requested that the current leasing agreements be grandfathered until the lessor and lessee agree not to continue to renew the lease agreement. This means that the parties would continue their existing lease agreement under the old rules until such time as one or both parties agree to end the agreement.

- Stated that the taxicab broker should have the ability to act an Agent or party to any lease agreement between the lessor and lessee. The broker has full time staff to monitor each lease agreement and provides a service under the brokerage banner to assist as a liaison between the leasing parties.

- Agree that the issuance of taxicab plates should be based on the population ratio defined in the Taxi Industry Reform Report, and support the issuance of plates by population.

3. Priority List and the Issuance of Taxicab Plates

Recommendations:

- That no new taxi plates be issued by the City of Hamilton for one year in order to measure the impact of amalgamation on the taxi industry.
- That the issuance of future taxi plates be based on the current ratio of taxi plates to population, 1 taxi plate per 1,170 population.
- That the issuance of taxi plates following the yearly review be issued on a lottery basis in accordance with established criteria to qualify for the lottery.
- That the City of Hamilton offer a reduced taxi cab licensing and/or renewal fee to those taxi cabs operating solely within the communities of the former area municipalities to maintain service levels.
- That the existing priority lists for the former Cities of Hamilton (141 names) and Stoney Creek (15) be discontinued.
- That the members of the aforementioned priority lists be reimbursed at a rate of $60 per year for each consecutive year the member has remained on their respective priority list. (It is estimated that the buy out of the two lists would cost the New City of Hamilton approximately $110,400).

Consultation:

Blue Line Taxi:

- Feel that the great majority of people on the Hamilton Priority List are not actively working in the industry full time, and therefore, support a lottery or auction system for the issuance of new taxicab plates. However, only active, licensed drivers in the entire City should be eligible to participate in the lottery/auction process so that area municipality drivers are not disadvantaged.

Flamborough Taxi:

- Agrees with submitting a business proposal to acquire new taxicab plates and the issuance of temporary taxicab plates to address heavy demands.

- Disagrees with the concept that plate issuance should be based on the upturn of the economy, which does not account for subsequent slumps or recessions.

- Requested that the City issue an interim taxicab driver license so as not to jeopardize the ability to keep taxicabs and drivers on the road. Currently drivers are waiting for a month to write the taxicab driver test and this is detrimental to a small taxicab broker/company. He stated that he is required to drive sixteen hours per day to make up for the shortage of drivers.

Hamilton Co-op Taxi Association:

- The priority lists should be consolidated.

- Only active drivers should have their names kept on the priority list. Names that are not involved in the taxi industry or names that have not contributed to the industry should be eliminated from the priority list.

- The issuance of new plates should be based not only on population growth but also the increase in ridership in local transit, increases in business of local hotels, restaurants, bars and coffee shops, and lack of service to taxicab clientele.

- New plates should not be transferable. Suggested that the existing suburban plate owners should be issued new City of Hamilton plates subject to a 4:1 ratio. For example, Waterdown Taxi currently owns six Flamborough taxicab plates, therefore, based on this proposed ratio, Waterdown Taxi would be issued 1 City of Hamilton taxicab plate and would have two taxicab plates that remain dedicated to servicing the Flamborough are only.

Veterans Taxi:

- Agree that lists should be purged and only those individuals who meet the eligibility criteria should be able to participate in the issuance of new taxicab plates. Consideration should be given to the length of time an individual has been listed on the Priority List.

Waterdown Taxi:

- Does not support the proposal by the Hamilton Taxi Co-op, which proposes that the issuance of new plates for the City be based on a 4:1 ratio of suburban plates to City plates. Therefore, Waterdown Taxi, which has 6 Flamborough taxicab plates, would only be eligible to receive one new City and two Flamborough taxicab plates if issuance were to be based on this proposal. This would not allow Waterdown Taxi to serve its clientele effectively or at all.

- Stated that Taxi Reform needs to create a fair and equitable system for all industry stakeholders, and it should not be designed only to protect Hamilton drivers and owners.

- Supports non-transfer of plates after ten years of the enactment of the harmonized by-law, similar to the City of Oshawa proposal.

Yellow Cab:

- Oppose the recommendation. Stated that the priority lists from the former Cities of Hamilton and Stoney Creek should be merged chronologically.

- Oppose the issuance of taxicab plates by lottery or auction. Plates should be issued in chronological order to those individuals on the merged priority list.

- Agree that each individual retained on the (merged) priority list should be active as a driver or owner in the day to day management or operation of the taxicab plate, and those individuals who are not active should be deleted from the priority list.

4. Inactive Taxicab Plates

Staff recommend further investigation into the activity of all plates in the former area municipalities, and require those owners to provide documentation that their respective taxicab plates were actively engaged in the taxi industry for the past three years.

Recommendations:

- That staff undertake further investigation into the activity of all plates in the former area municipalities, and require the former area municipality taxicab plate owners to provide documentation that their respective taxicab plates were actively engaged in the taxi industry for the past three years.

- That those former area municipality taxicab plate owners that cannot provide documentation for their respective taxicab plates be denied a taxi owner plate for the City of Hamilton.

Revised Recommendation:

- That the following documentation be required to be submitted to the Issuer of Licenses in order to establish the activity of a taxicab plate, and that the documentation cover the time period from 1996 to present date:
  - certificate of insurance for the subject vehicle(s)
  - drivers' lists

- trip sheets
- mechanical safety certificates
- taxicab drivers to provide T4's
- City inspection certificates
- vehicle ownership

Consultation:

Blue Line Taxi:

- Believe any suburban taxicab plate holder unable to meet the established criteria should be denied a new Hamilton taxicab plate.

Hamilton Co-op Taxi Association:

- The City should establish criteria to determine what is inactive. The onus should be on the suburban plate owner to provide the required documentation, including insurance policies, drivers' lists, trip sheets, safety certificates and tax returns.
- Establish a committee to review the documentation provided by the plate owners to validate their activity in the taxi industry.
- Once the inactive plates have been discarded, the remaining plates should be subjected to comparative value for transfer to Hamilton plates. The price paid for the plates or the lease, which the plate commanded on the open market, should be enough to establish a relative value of suburban plate with respect to a Hamilton taxicab plate. All (former) municipalities have the records of the transfers and the prices paid for the plates. Brokers have the record of the leases they have issued. This would establish the value of suburban plates to less than one fourth of Hamilton. By simple rule then the broker who is holding 12 active suburban plates should be issued 3 new City of Hamilton plates.

Veterans Taxi:

- Advised that existing suburban plate holders have renewed their taxicab plate license each year, and therefore, should be considered eligible.

Waterdown Taxi:

- If suburban plate owners are required to provide documentation to establish their activity in the taxi industry, then all plate owners in the new City should be required to provide the same documentation to validate their activity in the taxi industry.

Yellow Cab:

- Stated that the plates that have been renewed by the City each year should be considered active as the renewal required an inspection of the taxicab, payment of the renewal fee and submission of all related safety, ownership and insurance documents. Opposed to submitting trip sheets.

5. Wheelchair Accessible Taxicabs

Recommendations:

- ❖ That the City of Hamilton issue ten wheelchair accessible taxicab plates, which are not transferable and shall be returned to the municipality when inactive. **
- ❖ The issuance of wheelchair accessible plates be issued on the basis of a lottery to those who meet the established criteria for plate issuance. **

Revised Recommendation:

- ❖ That the issuance of Wheelchair Accessible Taxicab plates be tabled until further consultation is undertaken with the D.A.R.T.S. program administrators.

Consultation:

Blue Line Taxi:

- The City recommendations would lead to the elimination of 'on-demand' wheelchair accessible taxi service in the City because the cost of operating wheelchair accessible taxicabs is prohibitive. These costs include the vehicle, maintenance, and insurance costs, which are much higher than a conventional taxi.
- Stated that this area of the taxicab service loses money, and if forced to operate under the proposed regulations would eventually result in the broker abandoning the service.

Flamborough Taxi:

- Stated that wheelchair accessible taxicabs are extremely expensive to operate, and a subsidy is required to make it a viable enterprise.

Hamilton Co-op Taxi Association:

- Stated that this is not a profitable business venture.

Veterans Taxi:

- Stated that the City should consult with D.A.R.T.S. regarding the development of an integrated service between the Taxi Brokerages and D.A.R.T.S., as this service is cost prohibitive.

- Advised that the proposed recommendations would result in taxicab companies discontinuing the service. Based on the costs related to the service wheelchair accessible taxicabs cannot operate at current or proposed meter rates. Currently Veterans Taxi charges a minimum of $15 plus $1.50 / km over 10 kms. Veterans Taxi is currently accepting taxi script for payment of the fare.

Waterdown Taxi:

- Wheelchair accessible taxicabs should be required to be licensed similarly to standard taxicabs and operate with the same rates as standard taxicabs.

Yellow Cab:

- Stated that this company discontinued this service ten years ago because it does not provide a satisfactory return.

6. Customer Service

Recommendations:

❖ That the City of Hamilton improve customer service and create the delivery of top rate service to the taxi riding public through a one-tiered taxi system with new taxi cab plates being issued as the increase in population requires.

❖ That the City of Hamilton adopt:

(a) a Taxicab Passenger Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of their rights; and

(b) a Taxicab Driver Bill of Rights for all taxicabs, to be displayed on the back of the passenger seat to inform Taxicab passengers of the rights of the Taxicab Driver.

❖ That the City of Hamilton adopt a customer complaints/compliments hotline utilizing 546-CITY, and adopting a follow-up and resolution process.

Consultation:

Blue Line Taxi:

- Taxis should be removed from service once they are seven years old, eight if they are on alternate fuel, which would improve the average age of the industry fleet by two or three model years. (The majority of the industry fleet are 1992 and 1993 model years).

- Inspections of every taxicab should occur at least twice and probably three times each year, with at least one being an unscheduled random check.

- The inspection should address both the mechanical and cosmetic fitness of the vehicles.

- City should contract or tender out the mechanical safety inspections but the garage undertaking the mechanical safety should be precluded from performing any subsequent repairs

- Vehicles failing the City inspection should be charged an inspection fee.

- Spares should be subject to the same vehicle quality rules as standard taxicabs.

Flamborough Taxi:

- Currently licensed taxicab vehicles should be allowed to operate up until they are nine model years old, however, newly licensed vehicles should be no older than six model years.

- Stated that one safety per year should be required. Disagrees with multiple safeties during a licensing year as this will lead to falsified safeties.

- Agrees with approved garages for safeties but that owners/licensees should be able to choose which garage will undertake the required repairs to the vehicle.

- Stated that licensees should be able to have 2 spare taxicabs for every 5 plates licensed.

Hamilton Co-op Taxi Association:

- Stated that quality of the vehicle should be considered not just the model year.

- Taxicab vehicles should be removed from service when they are eight model years of age, and nine years if City staff feel it is in good condition. This would allow operators to purchase low mileage privately owned vehicles rather than buying old police cruisers.

- Single owner operators should provide a safety for their vehicle once a year and multi-owned vehicles should require two safeties per year.

- Taxicab vehicles that are allowed an extension of one year in excess of the eight model year restriction should be required to provide two safeties per year.

Veterans Taxi:

- Taxis should be removed from service after six years of age with the ability of a one year extension based on the mechanical and cosmetic condition of the vehicle.

- The City should require one safety at renewal time, and undertake two random inspections throughout per year.

- The City should require problem vehicles to provide additional safeties upon request.

Waterdown Taxi:

- Agrees with recommendations respecting the age of vehicles and the number of safeties required, and that these recommendations should be phased in over a three year period.

Yellow Cab:

- Support recommendations in report.

8. Driver Training and Safety

Recommendations:

❖ That the City of Hamilton develop an enhanced and expanded taxi driver training program beyond the existing requirements for new and currently licensed taxi drivers.

  - That all new drivers be required to undertake this training program.

  - That all existing licensed taxi drivers be required to undertake the training program within three years of the date of enactment of this schedule of the City of Hamilton Licensing Code.

  - That this training program include an in-car component, as well as in-class tests and sessions to encompass geography, customer service, tourism, hospitality, defensive driving, communication skills, cab maintenance, by-law provisions and monetary transactions.

- That only those persons successfully completing the aforementioned training course will be issued a taxi driver licence in the City of Hamilton, and will undergo re-testing as deemed necessary by the City of Hamilton Licensing Authority.

- And that the City of Hamilton play a regulatory rather than an administrative role in the provision of the driver training program.

❖ That all taxicabs operating in the City of Hamilton be equipped with an exterior emergency lighting warning system to provide safety for the taxicab driver.

Consultation:

Blue Line Taxi:
- Support a form of standardized driver training provided by the City or a contracted Driver Trainer to ensure that the quality of training achieves an acceptable standard. Experienced drivers should be exempt from the training requirements.

- Driver Safety should be incorporated into the training program. Believe that no safety equipment can match a driver's awareness of potentially dangerous situations.

- Expects to have a Geographical Positioning System installed in each taxicab within the next two years.

Flamborough Taxi:
- Driver training should be left up to the broker but would like the City to provide guidelines.

- Agrees with the recommendation requiring emergency lighting and would like to install an in-car camera but feels that the cost is prohibitive.

Hamilton Co-op Taxi Association:
- Would like drivers to be professionally trained, and once a driver has a City of Hamilton taxicab driver license he/she should be permitted to work anywhere.

- Suggested that in addition to the emergency lighting system, that all taxicab vehicles should also be equipped with cameras.

Veterans Taxi:
- Support the City providing a taxicab driver training course for new drivers, however, re-testing existing drivers should only be required only if there are complaints or problems related to the taxi driver.

- Advised that English competency and cultural sensitivity should be components of the taxicab driver training course.

- Support the concept of a 'mystery shopper' (passenger) to evaluate the quality of taxicab driver(s) and the service provided.

- Advised that the proposed emergency lighting system is not adequate to ensure taxicab driver safety, and advised that staff consult with the Hamilton Police to consider the possibility of partnering with the Police Global Positioning System (GPS).

- Veterans Taxi advised an investment will be made in computer technology, which would enable them to accept debit and credit cards, to dispatch vehicles electronically, and to improve customer service and driver safety with the use of a global positioning satellite.

Waterdown Taxi:

- Agree with recommendations.

Yellow Cab:

- Expressed concerns as to how the driver training course will be funded. Agree with training and testing, however, do not want the drivers charged any further fees as this makes it difficult to recruit drives.

- Support re-testing of existing drivers

- Do not support the installation of emergency lighting, stated that education and experience is more advantageous for the driver.

9. Increased Municipal Enforcement

Recommendations:

❖ That Municipal Enforcement Officers have the authority, if the Officer deems public safety is at risk, to:

  - remove a taxi cab from service;
  - remove the City of Hamilton taxi plate; and/or
  - have the taxicab towed to a municipal compound.

- ❖ That the City of Hamilton establish a fine structure to ensure that the appropriate deterrents are in place for those persons or vehicles not in compliance with the City of Hamilton Licensing Code.

- ❖ That the Building and Licensing Division complement be increased by one F.T.E. to provide a dedicated taxi enforcement program.

Consultation:

Blue Line Taxi:

- Suggested that newer, better maintained and better trained drivers may allow the City to reduce its enforcement staff.

Veterans Taxi:

- Support increased enforcement and increased hours at the City Taxi Garage to inspect vehicles.

Yellow Cab:

- Agree with recommendations.

Other By-law Requirements

Recommendations:

- ❖ That every Taxi Cab Broker shall comply with the following:
    - Ensure that taxi cab vehicles report for inspections when requested by the City of Hamilton Licensing Authority.
    - Ensure that all vehicles and drivers are licensed.
    - Ensure that all trips are dispatched fairly without prejudice.
    - Ensure that there are sufficient taxicabs operating at all times to meet service demands and requirements.

- ❖ The broker is equally responsible for the interior and exterior appearance of all taxi cab vehicles under his brokerage and may be subject to prosecution.

- ❖ That the City of Hamilton protect the public from uncompetitive price practices by approving the proposed tariff rates, as follows:

▪ For the first 76.8 metres or part thereof	$3.00

▪ For each additional 76.8 metres or part thereof	$0.10
▪ For waiting time while under engagement for each 14 (fourteen) seconds	$0.10

- That the above rates include the Federal Goods and Services Taxes; and
- That discounted fares be prohibited. **

Revised Recommendation: **

❖ That the City of Hamilton protect the public from uncompetitive price practices by approving the proposed tariff rates, as follows:

▪ For the first 71.4 metres or part thereof	$2.50
▪ For each additional 71.4 metres or part thereof	$0.10 ($1.40/km)
▪ For waiting time while under engagement for each 14 (fourteen) seconds	$0.10

- That the above rates include the Federal Goods and Services Taxes; and
- That discounted fares be prohibited.

❖ That taxicab fares be reviewed by the City in consultation with the Taxi industry every three years to determine the necessity and type of fare increase.

Consultation:

Blue Line Taxi:

- Do not believe that the brokers can be held accountable for ensuring taxi demands and requirements are met without also being given the ability to place additional licenses in service as needed.
- Brokers should not be held accountable for the inspection and / or policing taxicab vehicles – this is the City's responsibility.
- Do not support a meter increase as trip volumes have declined the past few months and a meter increase may exacerbate the situation.

Flamborough Taxi:

- Supports a fare increase, however, the increase should be added to the rate per kilometre not on the initial drop.
- Supports a $2.40 drop and an increase in the kilometre rate.

Yellow Cab:

- Agree with an increase in taxi fare on the rate per kilometre.

B. COMPARISONS OF OTHER MUNICIPALITIES

CITY	TAXI RATE			RATIO PLATE:POP	INSPECT FEE
	DROP RATE	RAT E/KM	5KM TRIP $		
Hamilton	2.25	1.30	8.75	1:1170	No
Proposed Recommendation	2.50	1.40	9.50		
Burlington	2.50	1.40	9.50	Cap on issuance	No
Oakville	3.00	1.00	8.00	No	$50 if 7 yrs or older
St. Catharines	2.50	1.65	10.75		
Guelph	2.40	1.50	9.90	No	No
Cambridge	2.70	1.40	9.70		
Niagara	2.50	1.54	10.20	No	No
Waterloo	2.70	1.40	9.70	1:1500	No
Metro Toronto	2.50	3.50	20.50	No	Rolled into renewal fees
Mississauga	3.00	3.50	20.50	No	No
Barrie	2.50	.15 1/10 km		No	No
Orangeville	2.80	1.00	7.80	1-1000	$1000 per licence plate $150 with inspection

❖ That staff develop additional criteria for the issuance of new taxicab plates in addition to the proposed ratio of taxi plates to population, to include:

- submission of business plans or proposals to address service level requirements, pockets of population growth due to development, trip volume increases and / or increased ridership in H.S.R.;
- consideration for the issuance of temporary taxicab plates for special events such as the World Cycling Championships, conventions or Grey Cup
- increase in number of dispatched trips by a brokerage
- increase in the business industry in the City of Hamilton (more hotels, bingo parlours, office space, theatres, shopping centres, bars and restaurants)
- population related factors
    - overall population increase/decrease
    - change in apartment / townhouse population
    - change in caseload for Social Assistance
    - change in senior citizen population
- taxicab stand counts – how long does a taxi wait for a fare (check at peak and off peak time periods)
- industry consultation

The issuance of taxicab plates should be based on a composite picture of the municipality's needs, based on the information provided from the above proposed criteria.

C. HISTORY OF ASSAULTS AND ROBBERIES RELATED TO TAXICAB DRIVERS

The Hamilton Police have provided the following reports respecting incidents involving Taxis. The first report includes incidences that occurred between July 01, 1999 to July 01, 2000, and the second report includes incidences from January 01, 2001 to May 04, 2002. The reports break down the incidents into six categories: assaults, fraud, mischief to auto, robbery, stolen auto and thefts. It is important to note that from the report in July 2000 to the most recent report of May 2002, the number of assaults against taxi drivers has increased from 9 to 23. Therefore, staff believe that the frequency and nature of the incidents reported do warrant the installation of an emergency lighting system or other devices to provide a safer environment for the taxicab drivers in the City of Hamilton.

Please note: Division 1 refers to Central Hamilton, Division 2 refers to the East End of Hamilton and Division 3 refers to the Hamilton Mountain and Dundas (including Ancaster and Flamborough).

Report #1:

DIVISIONAL ANALYSIS REPORT

Request – Statistics of Incidents Involving Taxis

Requested by – Supt. T. Sullivan

Request Date – 27 July 2000

Submitted – 31 July 2000

Summary

From the six categories covered writer found 70 occurrences based on the method described below. These were counted by general offence type, month of the year and Division. Thirty-five incidents occurred in Division One, 26 occurred in Division Two, and 9 occurred in Divisions One and Two. Division three reports almost exclusively dealt with fraudulent fares.

Methodology

There is no method in our present system to extract every incident involving a taxi. The information in this report was obtained by utilizing the “ad-hoc” queries and searching for certain words in the summaries of selected event types in the Constable database. Searches were conducted for the offences of Fraud, Theft (under $5000), Robbery, Assault, Stolen Auto and Mischief. The words searched for were ‘taxi’ and ‘cab’. The scope of the report was given as the entire Region over the past year. Queries were run covering occurrences from 01 July 1999 to 01 July 2000.

Analysis

The trends for this type of subject appear consistent. Of the 70 occurrences examined, 35 occurred in the last 6 months of 1999 and 35 have occurred in the first 6 months of 2000. The numbers range from a low of 3 reports in December 1999 to a high of 9 reports in April of 2000. Five of the 12 months have 7 reports. The breakdown of offences is as follows:

9 Assaults

There were 9 assault reports, 8 Assault level 1 and 1 Assault level 2 (weapon-not used). These were committed by difficult or drunk customers or while attempting to collect the fare.

28 Fraud

There were 28 'Fare Frauds' where the customer would not, or could not pay, many just running away from the stopped cab. There was one incident of fraud by passing counterfeit money.

5 Mischief to Auto

There were 5 reports of Mischief with one occurring while the vehicle was parked. The other incidents involving difficult customers damaging the taxi.

4 Robbery

Four robberies were found. Three occurred in Division One and one in Division Two. Three of the robberies involved a knife while the other robbery involved a gun.

12 Stolen Auto

Writer found 12 stolen auto reports involving a taxi. Six thefts occurred while the taxi was parked and not being driven. Two thefts occurred when the operator left the taxi with customers inside, who then steal the taxi. Two were as a result of an operator leaving his taxi unattended. One theft came as a result of a robbery. The cause of one theft is unknown to writer.

12 Thefts

There were 12 theft related reports examined. Four of these referred to the operator loosing property while transporting or dealing with a fare. This involved cell phones, cash, and personal property. Customers left property in a taxi on three occasions only to find some or all of it missing when checked later. Other reports related to parked vehicles and one break-in to a taxi service garage.

Report #2:

DIVISIONAL ANALYSIS REPORT

Request – Assault Statistics involving Cabs/Taxis

Requested by – Supt. M. Shea

Request Date – 2002-04-19

Submitted – 2002-05-02

There is no method in our present system to extract every incident involving a taxi. The information in this report was obtained by utilizing the "ad-hoc" queries and searching for certain words in the summaries, of the selected crime category of assault, in the Constable database. The words searched for were “taxi” and “cab”. The scope of the report was given as the entire City of Hamilton from 2001-01-01 to 2002-04-01.

The number of reported incidents on file total 23. Of these 6 occurred in Division One, 14 occurred in Division Two and 3 occurred in Division Three.

It would appear from the analyses that the leading stimulus leading to assaults upon taxi drivers was a dispute over the fare owing. This was true of 52% of reports incidents. None of the reported injuries were serious.

The next contributing, factor was passengers smoking in the cab. This was a factor in 18% of the reported incidents. None of the reported injuries were serious.

The last major contributing factor was intoxication of the passenger(s). This occurred in 13% of the reported incidents. None of the reported injuries were serious.

There was one reported incident in which racial comments were made by the passenger that escalated into an assault upon the driver. The assault was minor in nature.

In two incidents, or 9% of the reported occurrences, the taxi operator is a suspect or accused in an assault investigation.

There was only one reported incident where assault level 2 charges were initiated against a passenger. The driver suffered a sprained arm and several broken teeth.

There was one reported incident where a weapon, a gun, was used. The driver was hit on the head and the passengers fled the scene.

In comparison with a report submitted on 2000-07-02 the number of assaults against taxi drivers has increased from 9 to 23 report occurrences.

D. CRITERIA FOR REFUSAL TO ISSUE A LICENSE

The City of Hamilton Licensing Code 98-203 Schedule 2, outlines the following criteria respecting the eligibility of applicants to qualify for a taxicab driver or owner license.

Departmental Policy Standard
Character and Driving Record Criteria
For Conditional Issuance and Refusal
Of Mobile Licence Applications

A	Refuse licence if 2 or more Criminal Code convictions within 2 years of the application date
B	Refuse licence if 3 or more Criminal Code convictions within 5 years of the application date
C	Refuse licence if convicted of a Criminal Code offence where the sentence imposed was 5 years or longer
D	Issue conditional licence for 1 year if convicted of 1 Criminal Code conviction within 5 years of application date
E	Refuse licence if 1 Criminal Negligence or Impaired Driving conviction within 1 year of application date
F	Refuse licence if 2 Criminal Negligence or Impaired Driving convictions (or 1 of each) between 1 and 4 year old from application date
G	Issue conditional licence for 1 year, if 1 Criminal Negligence or Impaired Driving conviction, between 1 and 4 years old from application date
H	Refuse licence, if either 6 demerit points lost or 4 driving convictions within 1 year of application date
I	Issue conditional licence for 6 months if 3-5 demerit points lost or 3 driving convictions within 1 year of application date

- A conditional licence issued as a result of a criminal record is for a 1 year period (licence holder must submit an updated criminal abstract at 6 months and at 1 year).

- A conditional licence issued as a result of a driving record is for a 6 month period (licence holder must submit an updated driving record at the end of the 6 month period). At annual licence renewal, an updated driving record is required for all mobile "driver" licence holders.

- Notwithstanding the policy, the Building Commissioner may refuse an application for a licence above due to concerns of public safety being at risk. The licence applicant shall be informed of this decision in writing. It's a licence applicants right to appeal this decision to the Licensing Committee.

E. Development of Criteria to Establish Active Taxicab Plate Status

The industry has brought it to staff's attention that there are a number of inactive taxicab plates that are not currently operating in the industry. They are plates that have been purchased and set aside by the plate owner in anticipation of an increased value when sold at a future date. The Taxi Industry Reform Committee requested that staff bring forward criteria to determine the status of activity of taxicab plates in the industry.

As a result of staff consultation with the taxicab brokers in the City of Hamilton, it was suggested that staff not only verify the activity of the area municipality plate owners but also the independent plate owners in the former City of Hamilton.

Staff suggest that the following documentation be required to be submitted to the Issuer of Licenses in order to establish the activity of a taxicab plate, and that the documentation cover the time period from 1996 to present date.

- certificate of insurance for the subject vehicle(s)
- drivers' lists
- trip sheets
- mechanical safety certificates
- taxicab drivers to provide T4's
- City inspection certificates
- vehicle ownership

Throughout staff consultations, concern was expressed that the submission of trip sheets may compromise the competitive position of a company or interfere with contractual agreements or tendering processes. Staff have been made aware that the City's authority to collect the abovementioned documentation may be challenged in court.

F. DETAILS OF THE FORMER CITY OF HAMILTON AND CITY OF STONEY CREEK PRIORITY LIST

City of Hamilton Priority List:

APPL' DATE	FIRST NAME	LAST NAME
11-May-73	LOU	PARCO
25-Jan-78	BARBARA JEAN	O'NEILL
01-Feb-78	MARILYN	MAJOROS
13-Feb-78	PAUL	HATHAWAY
15-Feb-78	ROMAN	JANKEVICIUS
16-Feb-78	CECIL	SNOW
23-Feb-78	ROBERT	OFFEN
07-Mar-78	GEORGE	KEPENYES
03-Apr-78	HANS	WIENHOLD
17-Apr-78	KHALIL	ZOUROB
24-Jul-78	ISHAR SINGH	THIARA
05-Dec-78	WILLIAM T.	WINSHIP
30-Mar-79	JOSEPH	KUBINA
03-Apr-79	PETER C.	ELDRIDGE
09-May-79	JOHN	DRISCOLL
09-May-79	KEN	MUSCHIK
09-May-79	GORDON	SIMIGIAN

APPL' DATE	FIRST NAME	LAST NAME
09-May-79	GARY A.	VERE
11-May-79	JUNE	LUKE
15-May-79	DANIEL	GAGNON
17-May-79	EDWARD J.	HALLORAN
18-May-79	WALID	CHAFIC
18-May-79	LEOPAULD G.	BEAUCHAMP
23-May-79	HANNIBAL	RIZZUTO
06-Jun-79	LEONARD	WILLETTS
26-Jun-79	GERALD J.	TREMBLAY
05-Jul-79	STAN	KROK
13-Jul-79	GORDON	CUMMING
15-Aug-79	ADNAN	SHEDHADEH
11-Sep-79	SHARON	BELLAMY
01-Oct-79	DANIEL L.	BERNIER
05-Oct-79	LORRAINE	MOONEY
30-Oct-79	WILLIAM J.	PERKINS
09-Nov-79	LARRY	ROBERGE
14-Nov-79	ROGER	FRANCOEUR
06-Dec-79	PETER	OBRATOSKI
18-Dec-79	DANIEL M.	BISSETT
12-Feb-80	MARC STUART	HATHAWAY
14-Feb-80	YOGINDER K.	SHARMA
27-Feb-80	ADELIA	BALICE
28-Feb-80	COSIMO	BALICE
26-Mar-80	PAUL	VOLOUNDAKIS
14-Jul-80	ANTHONY PAUL	DICICCIO
29-Jul-80	INAM-UR	REHMAN
06-Oct-80	GURDIP S.	SOOR
05-Dec-80	MOHAMMAD	AHMED
18-Dec-80	WILLIAM T.	STOKOE
22-Dec-80	KALOUST	KALOUSTIAN
23-Dec-80	ROBERT	KOCZERZAT
24-Dec-80	SOLOMON	MARCELLIN
07-Jan-81	RANDALL G.	CRUDEN
22-Apr-81	JOHN	WEISS
30-Apr-81	SHIRLEY	HATHAWAY
06-Aug-81	DANIEL	VELTRI
26-Oct-81	STEPHEN	JONES
24-Nov-81	WAYNE STEWART	MCGREGOR
18-Dec-81	LARRY E.	FITZPATRICK SR.
28-Jan-82	JOHN FRANCIS	MOONEY

APPL' DATE	FIRST NAME	LAST NAME
28-Jan-82	ANTHONY F.	RIZZUTO
01-Feb-82	PHILIP	DALES
08-Feb-82	DRAGO	BASIC
26-Feb-82	JOHN C.	MACDONALD
18-Mar-82	THEODORS	TOMA
05-Apr-82	PUTRUS	ISAK
14-Apr-82	JOGINDAR SINGH	DHALIWAL
08-Jun-82	KEITH	JOHNSON
10-Jun-82	DONNA	BOURKE
24-Jun-82	WILLIAM	KHAMMO
24-Jun-82	ANDREA ROCHELLE	ROSART
21-Jul-82	THOMAS F.	SEBISTY
08-Oct-82	RICHARD	SINDALL
18-Oct-82	HARBANS SINGH	KALSI
01-Nov-82	MARK	GRANBY
08-Nov-82	WILLIAM G.	ROMANS
17-Dec-82	ELIZABETH JANE	MILLIGAN
23-Dec-82	AHMAD	MALIK
02-Feb-83	RONALD	GEER
27-Apr-83	BASIL W.	SCIME
09-Jun-83	SANDRA	FUKUMOTO
04-Jul-83	DANE	HATHAWAY
19-Sep-83	BRENDA	ROBERGE
12-Jul-84	RUDOLPH A.	CIZEK
02-Aug-84	JEFFERSON LEE	JOHNSON
01-Oct-84	ALAN R.	KENT, SR.
03-Oct-84	COLLETTE	ROBERGE
10-Oct-84	AL	REICHERT
22-Oct-84	ANNE	SCIME
14-Dec-84	ZERE	TEWOLDE
19-Dec-84	MICHAEL	ROTH
28-Dec-84	RONALD W.	MOROZ
26-Feb-85	MOHAMMAD NAEEM	KHAN
16-Jan-86	LEONARD	ROBERGE
31-Jan-86	KARLIS	VALODZE
06-Feb-86	RUDOLF J.	WEBER
02-Jul-86	MICHAEL	GEER
03-Jul-86	DENISE	GEORGIAN

APPL' DATE	FIRST NAME	LAST NAME
05-Aug-86	SHABIR	AHMED
05-Sep-86	HABTE-AB	TECHLE-MARIAM
23-Oct-86	PETER H.	ROBERTSON
15-Dec-86	JEFF	SINDALL
29-Dec-86	ANTHONY R.	RIZZUTO
29-Dec-86	SHAHID	BUTT
30-Dec-86	SHAKIL	SIDDIQUI
05-Jan-87	BASHARAT	BUTT
09-Jan-87	ERIC	SHEPHERD
26-Jan-87	WAYNE	LEPINE
19-Feb-87	GORDON A.	GREB
01-May-87	JOSEPH	VANDERHEYDEN
29-May-87	KENNETH C.	REICHERT
31-Aug-87	ALISA A.	CLEARY
08-Oct-87	BONNIE L.	GEER
21-Dec-87	JOSEPH	VARGA
05-Jan-88	FREDERICK J.	MULDOON
06-Jan-88	MARIO	POSTERARO
13-Jan-88	JAGIR	MULTANI
29-Jan-88	MOHAMMAD	FAROOQ
22-Feb-88	RAPHAEL	KOLENKO
22-Feb-88	AL	ARTHURS
26-Feb-88	MARTHA	FERGUSON
31-Mar-88	BRIAN	COSGROVE
25-Apr-88	AUDREY	JOHNSON
04-May-88	PANTELIS	ILIOS
11-May-88	FARRUKH	QURESHI
24-Jun-88	IJAZ H.	SYED
07-Aug-88	RONALD	AIRTH
06-Sep-88	CLAUDIO	BALICE
19-Sep-88	GHULAM N.	BUTT
20-Oct-88	MICHAEL G.	FORD
04-Nov-88	ROBERT	MASCHEWSKI
11-Jan-89	BRENT J.	DAWSON
13-Jan-89	RAY	MAURICE
24-Jan-89	JERRY	ZARASKI
13-Feb-89	LARRY P.E.	BROADBENT
13-Jul-89	JOSEPHINE	RIZZUTO
26-Jul-89	PETER	RIHBANY
15-Jun-90	WILLIAM	PERKS
31-Aug-90	GAIL	RIZZUTO-DOWLING

APPL' DATE	FIRST NAME	LAST NAME
20-Feb-91	RONALD	ROBERGE
17-Apr-91	TOKUNBO (DAVE)	OGUNLADE
03-Jan-92	JAGTAR SINGH	CHAHAL
04-Sep-92	ANGELA	RIZZUTO-ECKLUND

City of Stoney Creek Priority List:

FIRST NAME	LAST NAME
HUGO	DIFRANCESCO
MARY ANN	DIFRANCESCO
DOROTHY	VAN KLEEF-HUNT
VALENTINO	DALBELLO
MARIA	DALBELLO
MARY	MARTINAC
TOM	PARCO
MEL	MCGUIGAN
GINA-MARIA	MCGUIGAN
ANGELA	MCGUIGAN
OLINDO	DALBELLO
WILLIAM	ROMANS
JOHN CONNELLY	MCGOVERN
JAGJIT	GREWAL
RODGER	MCEACHERN

Throughout the surveying of municipalities, staff have found that the majority of municipalities maintain plate holder waiting or priority lists, except in municipalities that issue plates directly to the taxicab companies.

Municipalities typically require applicants to be full-time drivers and must either sign an affidavit or provide a copy of their tax return to maintain their status on the waiting list (Mississauga, Oakville, Brampton, Markham, Windsor, London, and Richmond Hill). This is an ongoing requirement to maintain active status on the waiting list. In addition, the majority of the municipalities remove a person's name from the priority list if at any time while on the list they transfer one of their existing plates. Typically, a freeze of 5 years is required before an individual can re-enter the priority list. A few of the municipalities charge a fee to maintain their status on the list.

Windsor requires that the applicant cannot have held a plate for a period of two years immediately preceding the application. In addition, the applicant during the two years preceding the application cannot be a shareholder or a partner in any company or firm having, an interest in a plate holder's license. The (Windsor) by-law defines that any person on the waiting list must be a driver continuously with the City, without revocation or suspension for at least two years preceding the application, and have been continuously and is presently earning his living in the City on a full time basis either as a driver or as a dispatcher. These provisions encourage new taxicab drivers to become plate holders and ensures that all drivers interested in obtaining a plate will be given fair opportunity prior to issuing new plates to multi plate holders.

Recognizing that an applicant can wait a significant amount of time on the waiting list, the City of Markham allows applicants after 5 years to request a leave of absence for a period of up to one year for the sole purpose of seeking alternate employment and return to the waiting list if such alternate employment is terminated.

The City of Brampton also allows, under specific circumstances, for an applicant to take a leave of absence to attend an Ontario educational institution.

Following is a summary of those municipalities surveyed respecting the criteria establishing eligibility for their respective priority lists:

Municipality	Priority List
Ajax	• Yes, no restrictions or guidelines
Brampton	• Must be a driver to be on the waiting list and must provide a letter from the cab company and trip records • Must be a driver for a minimum of 2 years, 35 hours a week, 44 weeks/year • Anyone whose name is on the list who transfers an owner's plate shall be removed from the list for a period of 5 years following the date of such transfer • $100 to be on the list and a renewal charge of $25 • Annual proof of employment as driver from the employer • A copy of applicant's income tax return annually that was submitted to the federal government • Provision for illness • Provision for educational leave after 4 years.
Guelph	• No waiting list since there is no limit on the number plates
London	• Based on priority date and can only be on the list once • Must sign a declaration every year • Must live in the City of Hamilton • Must have certain number of driving hours • Eligibility must be proven yearly
Markham	• To be on the priority waiting list, the applicant must be a driver in the Town for at least 2 years prior to the date that the application for a licence was filed and the applicant has been driving a cab in the Town for an average of at least 35 hours per week for 44 weeks of the last 12 month period before the date of the application and has filed a statutory declaration • Name can appear only once on the waiting list • To stay on the list, must continue to drive under the above noted

Municipality	Priority List
	hours and file a statutory declaration confirming the information • If a name has been on the list for 4 years or more, the applicant can then remain on the list if he/she works as a fleet manager or dispatcher on a full time basis (35 hours/week, 44 weeks per year) • After 5 years, may request leave of absence not to exceed one year for the sole purpose of seeking alternate employment and leave only granted once – when a leave of absence is taken, the position of the waiting list is adjusted to reflect this time not in the industry • If applicant on waiting list does not renew his drivers licence, name may be removed from the waiting list • List reviewed regularly by Clerk to ensure compliance • As new owner licences are issued, Council shall do so as the names appear on the list in priority base done in the following ratio: - 80% shall be issued to drivers on the list; 20% shall be issued to owners on the list • If owner sells or transfers his licence his name shall be removed from the list • Currently 160-170 names on the waiting list • Prior to issuing – shall publish notice of intention and the name in newspaper —10 days to hear objections • If objection, then a hearing is held
Mississauga	• Waiting list is maintained – high maintenance – currently approximately 250 names on the list • Annual fee of $25 is charged to maintain place on the list • Must have been a driver who has been licensed for a period of 2 years • Annually, must sign affidavit that the individual is a driver in the City 40 hours a week for 44 weeks out of the preceding year • Must be full time in the industry and provide a full year's worth of trip sheets • Recently established a regulation that once you have received a plate after being on the waiting list then you cannot get back on the waiting list (this promotes an owner/operator environment)
Oakville	• No waiting list currently, the issuance of 3 additional licenses this year exhausted the list • (Similar to Markham's requirements) • Licensed driver in good standing • Applicant must be driving a taxicab in the Town on average 40 hours per week during at least 44 weeks per year calculated from the date of entry on the list • Submit a statutory declaration • To stay on list must be either a licensed driver or dispatcher who works 40 hours per week for 44 weeks from time of placement on list – filed statutory declaration • Failure to renew drivers licence – name removed • The City is currently establishing new parameters for their waiting list
Richmond Hill	• Must be a licensed taxi driver • Must have worked a minimum of 1 year as a driver prior to application • Must have been driving for an average of 35 hours per week for at

Municipality	Priority List
	least 40 weeks • Name can appear only once • Remain on the waiting list only if he remains licensed as a taxi driver in the municipality for an average of 35 hours per week over any 3 month period from time to time
Thunder Bay	• Currently only 3 names on list • Have 10 days upon notice to comply

Staff recommend that if the priority lists are maintained the two lists should be merged chronologically and all ineligible applicants on the merged list be purged by the Issuer of Licenses based on the new eligibility criteria. All individuals that do not meet the new eligibility criteria be given two years to become compliant. At the end of the two year period the Issuer of Licenses will purge the priority list to eliminate the applicants that have not met the qualifications.

Currently the City of Hamilton Licensing Code requires that priority list applicants meet the following criteria:

- each applicant shall pay $60 per year to maintain their standing on the priority list
- when offered a taxicab plate from the priority list the applicant must provide a statutory declaration that he or she has actually engaged in operating a taxi-cab full-time in the City as:

  (i) a taxi-cab owner,

  (ii) a licensed taxi-cab driver,

  (iii) a taxi-cab dispatcher or,

  (iv) a taxi-cab telephone service operator

  for a period of not less than two (2) full and consecutive years immediately preceding the date of consideration of the application by the Issuer of Licenses, and this status will be established by providing the following documentation:

  (i) a certified true copy by Revenue Canada of income tax returns for two consecutive years immediately preceding the date of consideration of the application by the Licensing Committee; and/or

  (ii) any one of, or any combination of the following in respect of the two consecutive years immediately preceding the date of consideration of the application by the Licensing Committee:

1. a certified copy of record of employment,
2. statements of insurable earnings as issued by the Unemployment Insurance Commission,
3. statements of contributions to the Canada Pension Plan as issued by Revenue Canada,
4. monthly charge statements as issued by a taxi-cab broker operating in the City of Hamilton,
5. original trip records, or
6. such other or equivalent documentation as the Issuer of Licenses may accept.

- In addition to the aforementioned requirements an applicant who is unable to meet the requirements of the above, for medical reasons only, shall provide a statutory declaration declaring that the applicant was actively engaged in operating a taxicab full time in the City for a period of not less than two consecutive years immediately preceding the onset of the medical disability as:

  (v) a taxi-cab owner,

  (vi) a licensed taxi-cab driver,

  (vii) a taxi-cab dispatcher or,

  (viii) a taxi-cab telephone service operator

- Failure to meet the above requirements results in the applicant being eliminated from the priority list.

Further to the aforementioned requirements of the existing Taxicab Licensing Code, staff suggest that the following additional eligibility criteria be established:

- In order to remain on the priority list an applicant must be a full time driver and must renew the application annually and complete a statutory declaration.
- Failure to renew a taxi driver license will result in the applicant being removed from the priority list.
- Once an applicant has received a taxicab plate from the priority list, the applicant cannot be reinstated to the priority list. This promotes an owner operated environment.

- The applicant will provide proof of employment as a taxicab driver.
- Applicant name can appear only once on the priority list.
- The applicant shall pay an annual fee of $100 to remain on the priority list.

G. SPECIAL LEGISLATION TO MAINTAIN BORDERS

Throughout the consultations, Staff concluded that there was no support of a phase in of the elimination of the existing borders. Legal Services advised that to maintain the existing borders would be arbitrary and discriminatory and would not stand up to a court challenge. Therefore, staff recommend the adoption of a single zone.

The City of Hamilton Act, 1999 Section 5(6) states that every by-law existing prior to amalgamation will be in force and effect until is expires, is repealed, or replaced:

> "Every by-law or resolution of an old municipality that is in force on December 31, 2000 shall be deemed to be a by-law or resolution of the city council on January 1, 2001 and remains in force, in respect of the part of the municipal area to which it applied on December 31, 2000, until it expires or is repealed or amended to provide otherwise. 1999, c. 14, Sched. C, s. 5 (6)."

As a result of the City of Hamilton Act, 1999, the existing borders will remain in place until a new harmonized by-law is enacted for the entire City.

ANALYSIS OF ALTERNATIVES:

OPTIONS

After reviewing the discussions with participants in the Taxi Industry at the focus groups and reviewing the outcome of the questionnaire/survey, staff concluded that there are five options respecting the licensing of taxicabs in the new City, as offered in the Harmonized By-law Recommendations. The five options or approaches to taxi industry reform, which are designed to address the major issues identified by staff and industry stakeholders are as follows:

(1) Maintain the status quo

(2) Implement the two-tiered Ambassador Taxi Cab Program

(3) Implement a Modified Two-Tiered (Ambassador) Taxicab Program

(4) Implement a one-tiered enhanced licensing program

(5) Open Entry to the Taxicab Industry

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Taxi industry revenue (included in 2002 budget) $319,000		
Cost of administering by-law (2 FTE's) (included in 2002 budget)		(124,000)
Annual Net revenue (included in 2002 budget)		$195,000
Additional new revenue [2]	$66,000	
Cost of 1 additional inspector [1]	(62,000)	
Net Additional Revenue		$ 4,000
Total Net Revenue		$199,000
Priority List Payout [3] (one time only in 2002)		(110,400)
Net Revenue in 2002		$ 88,600

- Therefore, on an annual basis taxi licensing will be self-sustaining with projected annual net revenue of $195,000, with the exception of this transition year, during which the one time payout of the Priority List will cost $110,400. This net revenue includes the cost of one additional municipal enforcement officer to be hired to concentrate efforts primarily in the taxi industry at an annual cost of $62,000.

[1] This includes annual wages, benefits, OMERS and by-law vehicle costs; not included in 2002 budget

[2] This amount includes increased fees to be paid by the brokers, owners, drivers and lessees from the former area municipalities who will be paying the New City fees.

[3] Not budgeted in 2002.

POLICIES AFFECTING PROPOSAL:

As a schedule of the harmonized City of Hamilton Licensing Code By-law No. 01-156, the schedule licensing the taxi industry will be harmonized throughout the new City.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

This review of the taxi industry has attempted to address the concerns of industry stakeholders, including taxi brokers, plate owners/lessees, drivers and the industry clientele in order to receive input, comments and suggestions. These consultations were comprised of several focus groups in 2000, public consultation with the Sub-committee in 2002, and most recently with all brokers currently operating in the City. Further consultation was undertaken with several municipalities to draw comparisons in those areas of concern as identified by the Taxi Industry Reform Sub-Committee.

The report substantiates the need for licensing the taxi industry participants throughout the new City and rationalizes enforcement of the requirements to ensure that the licensing function is carried out fairly and consistently across the new City.

CITY STRATEGIC COMMITMENT:

The licensing of taxicabs, taxi drivers, plate owners and brokers addresses the development of an integrated sustainable transportation system for people, which is environmentally friendly, affordable, efficient, convenient, safe and accessible. The proposed regulations will accommodate transportation needs, public safety and protection of the physical environment.

Ensuring taxicab service levels throughout the City will provide a convenient mode of transportation to and from the communities of the City for all members of the travelling public. Licensing wheelchair accessible taxicabs will ensure that there is equal access to the quality, cost and availability of service to members of the disabled community.

:JD
Attach. (2)

Subodh Paul
195 Limeridge West, Unit A3
Hamilton, Ontario
L9C 2V4

July 30, 2002

Taxi Reform Committee.

I have been involved with taxi industry for the last 5 years. I am driving 12 to 16 hours per day. I am also running 7 taxis for the last 4 years. There are 13 drivers who are driving for me.

I have invested a lot of money and worked hard to ensure that my cars are always on the road in good, safe working condition.

If you decide to take multi-lease away, there will be a couple of negative effects. Many drivers will lose their livelihood. There will be fewer cabs on the road during after hours and on the week-end.

I am hoping that you will take my letter into consideration when you will make final decision regarding the reforms involving the multi-lease.

Sincerely,

Subodh Paul

OFFICE OF THE CITY CLERK
AUG 0 6 2002

REC. BY .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... D

ACTION: ____________

TO WHOM IT MAY CONCERN

DEAR SIR/MADAM

ACCORDING TO THE NEW BY-LAW THAT WILL TAKE PLACE IN THE CITY OF HAMILTON THAT THERE WILL NOT BE ANY MULTI TAXI OPERATORS,THIS BY-LAW WILL AFFECT EVERYBODY INVOLVED IN THIS BUISNESS (OWNERS,COMPANY,CUSTOMERS)

MY PARTNER AND I OPERATE 20 TAXIS.

WE HAVE 10 CARS IN DUNDAS,4 CARS IN FLAMBORO,5 CARS IN HAMILTON AND 1 CAR IN STONY GREEK.

THE AVERAGE CAR WILL EMPLOYEE 2 DRIVERS,THATS WITHOUT THE PART TIMERS,SO FOR SOMBODY LIKE ME THAT HAVE 20 CARS ON THE ROAD WITH MORE THAN 50 DRIVERS WORKING YOU CAN TELL THAT IT TOOK ME A LOT OF TIME AND MONEY TO BUILD THIS BUISNESS,BESIDE THAT MY CARS ARE ALWAYS WORKING,WE ARE SERVICING THE CITY 24HRS A DAY 7 DAYS A WEEK.

WE ALSO HAVE A FULLY EQUIPED GARAGE TO SERVICE ALL OF THESE CARS.

NOW IF THE NEW BY-LAW PASS THAT'S MEAN I WILL HAVE TO PARK ALL MY CARS AND TELL MY DRIVERS TO STAY HOME OR FIND ANOTHER JOB.

ACCORDING TO MY EXPERIENCE IN THE TAXI BUISNESS,AN OWNER OPERATOR WILL NOT HIRE ANYBODY TO DRIVE HIS CAR OR HE MIGHT HIRE HIS BROTHER TO DRIVE HIS CAR,BESIDE THE AVERAGE OWNER WILL WORK 8 TO 10 HRS A DAY SO AFTER 10 PM NO OWNER WILL BE WORKING.

NAJI R. ARAFAT
KHALED ABU-DAGGA

July/30/02

OFFICE OF THE CITY CLERK
AUG 0 6 2002

REC'D BY .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... DATE ....

ACTION: ____________________

Gurmel Sandhu and other Multi-Leasies
213 King St. West
Hamilton, ON
L8P 1A6

July 29th, 2002

To Doug Rose and Taxi Reform Committee

We have heard that you're planning to end all multi-leasing, and so we're writing you a letter in response.

If you decide to end all multi-leasing, there will be fewer taxis running during after hours and on the weekends. We believe that most single owner operators won't be on the road after hours and on the weekends, and subsequently there will be a reduction in the quantity of taxi service.

Most of the drivers now employed by the multi-leasies will be out of jobs, because they won't be able to afford to put a car on the road by themselves. We feel that most owners invest money only once and collect their money while sitting at home, opposed to the leasies who consistently spend money and time looking after their drivers, and their taxis to keep them in good condition and safe working order to better serve the community. We are involved 24 hours, seven days a week directly in the taxi industry.

Therefore, we believe that if you are going to allow to have multi-owners, then multi-leasies should be kept in the taxi industry too. We strongly believe that multi-leasies are the ones who are keeping the taxis on the road, not the owners.

We hope that you take our letter into serious consideration regarding this matter.

Sincerely,

Jagpal Gill
JASPOOL GILL
KHALED ABU-DAGGA
NAYEL R. ARAFAT

G S Sandhu
GURMEL SANDHU

(SUBODH PAUL)

(MOHAMMED SIDDIQUE)

The Multi-Leasies

OFFICE OF THE CITY
AUG 0 6 2002
REC. BY .... DATE ....
REF'D TO .... DATE ....
REF'D TO ....
REF'D TO ....
ACTION:

Gurmel Sandhu
36 Solomon Crescent
Hamilton, ON
L8W 2G2

July 29th, 2002

To Mr. Doug Rose and the Taxi Reform Committee,

I am writing you this letter in response to the reforms that City Hall is taking against multi-leasies. I was also asked by Doug Rose to explain my role and involvement in the taxi industry.

I have been involved in the taxi industry for quite some time now, from repairing them since 10 years ago, to owning a plate and running 8 taxis in the last 3 years. I have 16 employees working for me, and I am on call 24 hours seven days a week in case there needs to be a repair or emergency with any of my cabs. I have invested a lot of money and effort into my cars, to ensure that they're always on the road and in good safe working condition.

If you decide to take the multi-leases away, there will be a couple of negative effects. First, many taxi drivers will lose their livelihood. Secondly, there will be fewer cabs on the road during after hours and on the weekends. I too would suffer, because I run and own an auto repair shop where 90% of my business comes from repairing and maintaining taxi cabs.

I am hoping that you take my letter into consideration when you make your final decision regarding the reforms involving the multi-leasies.

Sincerely,

Gurmel Sandhu

OFFICE OF THE CITY CLERK
AUG 0 6 2002
REC. BY .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... DATE ....
REF'D TO .... DATE ....
ACTION: ____________________

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SECTION 19

19.1

MOTION

Council Date: September 17 2002

MOVED BY COUNCILLOR HORWATH..

SECONDED BY COUNCILLOR...

Whereas many persons with disabilities in Hamilton rely solely on public transit for transportation;

And Whereas many people with disabilities receive Ontario Disability Support Program benefits that will only provide bus passes to recipients who have medical appointments a minimum of 15 times a month;

And whereas the cost of a bus pass is often prohibitive for people whose only source of income is the O.D.S.P. benefit;

Be it resolved that staff of the Social and Public Health Department examine the feasibility of a subsidy program, equal to the current discount available for seniors, for bus passes for individuals on O.D.S.P. benefits in need of affordable public transit but deemed ineligible by the provincial O.D.S.P. for a bus pass;

Be it further resolved that the results of this study be brought to Council including all issues of eligibility, program administration and projected costs.

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SEP 23 2002

GOVERNMENT DOCUMENTS

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 02-032

Tuesday, September 24, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. COUNCIL MEETING AS THE BOARD OF HEALTH

2.1 Roles and Responsibilities of Council as the Board of Health (SPH02025)

3. ADOPTION OF MINUTES

3.1 September 17, 2002 (to be distributed)

4. DELEGATION REQUESTS

None at the time of printing

5. CONSENT ITEMS

None at the time of printing

DISCUSSION ITEMS

6. REPORTS BY SUB-COMMITTEES

6.1 Report by the Audit Sub-Committee (to be distributed)

6.2 Report by the HMRF/HWRF Pension Administration Sub-Committee (to be distributed)

7. GENERAL INFORMATION

8. PRIVATE AND CONFIDENTIAL

None

9. ADJOURNMENT

CITY WIDE IMPLICATIONS

2.1

CITY OF HAMILTON

SOCIAL & PUBLIC HEALTH SERVICES DEPARTMENT

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Elizabeth Richardson, Medical Officer of Health
Date:	September 16, 2002	**Prepared by:**	Elizabeth Richardson 905-546-3501

SUBJECT: **Roles & Responsibilities of Council as a Board of Health (SPH02025) (City Wide)**

RECOMMENDATION:

That Council receive the presentation and report on the roles and responsibilities of Council as a Board of Health.

Elizabeth Richardson, Medical Officer of Health
Social & Public Health Services

EXECUTIVE SUMMARY:

The events that began in May 2001 in Walkerton Ontario, and the subsequent report of Mr. Justice O'Connor emphasized the need for a strong legislative framework and skilled professionals to protect the public's health. The development of the new smoking bylaw also brought to the fore the role of public health staff in advocacy for healthy public policy. While many levels and departments of government have a role to play in public health, City Council as the Board of Health for the City of Hamilton plays a pivotal role in protecting and promoting the health of the citizens of Hamilton.

Staff have prepared a presentation for Council to explore their role as a Board of Health. The objectives of the session are to review:

- The legislated role and responsibilities of Council as a Board of Health
- The role and responsibilities of the Medical Officer of Health
- The relationship between the Medical Officer of Health and the Board of Health
- The liabilities of Council as a Board of Health, and
- Hamilton's approach to date in meeting their public health mandate.

The information provided through the presentation will also assist Council in the upcoming review of departmental business plans and budgets.

BACKGROUND:

ANALYSIS OF ALTERNATIVES:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Under the Health Protection and Promotion Act (HPPA), City Council is the Board of Health for the City of Hamilton. As such, Council is required to implement the Mandatory Health Programs and Services Guidelines published pursuant to the HPPA, and meet the public health needs of their community. The Act contains provisions for assessment of the Board's activities by the Minister of Health and Long Term Care, including the degree of compliance with the Mandatory Programs and all other aspects of the HPPA, and the quality of management or administration of the affairs of the Board. Penalties can be levied if the Board fails to comply with Ministerial direction to address any shortcomings identified in an assessment.

POLICIES AFFECTING PROPOSAL:

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Legal services has been consulted on the preparation of this presentation.

CITY STRATEGIC COMMITMENT:

Council's activities as a Board of Health fall within the third strategic goal articulated by Council, A Healthy, Safe and Green City. Under that goal Council has specifically set an objective to ensure that the public health department is adequately resourced to meet all statutory obligations. Activities under the Program Planning and Evaluation standard of the Mandatory Programs, and the Public Health Research Education and Development program, work to ensure that Council's fifth goal of Spending Wisely and Investing Strategically is met, by seeking out best practices and best value in program delivery.

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SEP 30 2002

GOVERNMENT DOCUMENTS

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 02-033

Tuesday, October 1, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 September 24, 2002 (to be distributed)

3. DELEGATION REQUESTS

None at the time of printing

4. CONSENT ITEMS

4.1 Intersection Control - Intersection of Donnici Drive and Donnici Drive (TOE02181) (Ward 8)

4.2 Intersection Control - Bianca Drive and Upper Wentworth Street (TOE02179) (Ward 7)

4.3 Request for Northbound Stop Control on Cedarlawn Court at Greencedar Drive (TOE02178) (Ward 8)

4.4 Monthly Status Report of Tenders and Requests for Proposals - August (FCS02014(h)) (City Wide)

4.5 Amendments to the Municipal Parking Facilities and the On-Street Parking By-law (FCS02098) (City Wide)

4.6 Proposed Official Plan Amendment - New Environmentally Significant Areas (PD02201) (Wards 10, 11, 12, 14, and 15)

4.7 Removal of Burlington Street East between Wellington Street North and Ferguson Street North from the Truck Route System (TOE02177) (Ward 2)

5. PRESENTATIONS

5.1 Noise By-law (PD02166) (City Wide)

DISCUSSION ITEMS

6. CITY MANAGER

None

7. COMMUNITY SERVICES

7.1 City of Hamilton User Fee By-law for Fire Prevention and Suppression Services (CS02081) (City Wide)

7.2 City of Hamilton Fireworks By-law (CS02080) (City Wide)

7.3 City of Hamilton Open Air Burning Regulations (CS02082) (City Wide)

8. CORPORATE SECRETARIAT

None

9. ECONOMIC DEVELOPMENT

None

10. FINANCE AND CORPORATE SERVICES

10.1 2003 Water & Wastewater Rate Budget Process (FCS02101) (City Wide)

11. HUMAN RESOURCES

None

12. PLANNING AND DEVELOPMENT

12.1 Request for the Elimination of the Requirement for a Sidewalk on Kendrick Court and Blasdell Court (PD02200) (Ward 12)

13. SOCIAL AND PUBLIC HEALTH SERVICES

13.1 Budget Variance Report for Schedule 20 Residential Care Facilities for the City of Hamilton (City Wide) (SPH02024)

14. TRANSPORTATION, OPERATIONS AND ENVIRONMENT

14.1 Normanhurst Avenue and Melvin Avenue - Request for All-Way Stop Control (TOE02180) (Ward 4)

15. JOINT DEPARTMENTAL REPORTS

15.1 Auchmar Estate (CS02060) (PD99098(f)) (Ward 8) - (Previously Tabled by Committee of the Whole on July 9, 2002)

16. ITEMS REFERRED BY CITY COUNCIL

None

17. REPORTS BY SUB-COMMITTEES

17.1 Licensing Committee - Meeting of September 18, 2002

18. REPORTS BY VOLUNTEER CO-ORDINATING COMMITTEES

None

19. MOTIONS

None

20. NOTICES OF MOTIONS

None

21. GENERAL INFORMATION

22. PRIVATE AND CONFIDENTIAL

None

23. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Annual State of the City	Nov 21/01	Mayor/City Manager/Corporate Secretariat	Report back detailing information for inclusion in an Annual State of the City Report	
E.	Spreading of Biosolids	Nov 21/01	Transportation and Environment	TABLED pending Staff report	
F.	Urban Boundary	Dec 4/01	Planning & Development	Referral by HSC for staff to report back to COW	2002 – Q2
G.	Community Safety Zones	Dec5/01	Transportation and Environment	Referred back to staff for further consideration	2002 – Q2
H.	People's Panel	Dec5/01	TBD	Staff to report back on financial and staffing implications, selection process, terms of reference and implementation timeline	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
I.	Aquafit Seniors/Disabled Fees	March 5/02	Community Services	Staff to prepare critical analysis	
J.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
K.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
L.	Strategy for priortizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
M.	Shortage of Area Doctors	March 6/02 Council	Social and Public Health	Staff to report back on shortages	
N.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003
O.	Harbour Port Authority	Feb. 13/02	Finance and Corporate Services	Staff to report back on additional revenues from Port Authority	June 18/02
P.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Q.	Marina Assets	May 7/02	Community Services	Staff to report back on the selling of Marina assets to Port Authority	
R.	Alternative Service Delivery for installation of roadway signs and posts	May 7/02	TOE	Staff to report back with results and recommendation on this matter	
S.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
T.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	F&CS and HUC	Staff to bring report back	
U.	HR Matters	May 7/02	Economic Development	Staff to report back	
V.	Consolidated Rural Municipal Numbering By-law	May 7/02	Planning and Development	Referred to staff for outside pricing and report back	
W.	Municipal Tax Competitiveness Study	May 23/02	Finance and Corporate Services	Referred to a Future COW in September	Sept. 24/02
X.	Council Correspondence respecting Algae in Lake Ontario	June 12 City Council	TOE/Finance and Corporate Services	Staff to report to Committee of the Whole	
Y.	Capital Program to modify mountable curb driveway approaches	July 2/02	TOE	Three sections tabled pending public consultation	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Z.	Roles and Responsibilities of Committee of Adjustment	July 2/02	Planning and Development	Tabled pending further consultation with the community and report back on policy addressing political influence	
AA.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
BB.	Delivery of ambulance services, response times, standards, dispatch	August 6/02	Chief Peace	Staff to bring report back on status of delivery	
CC.	Inventory of underground and above ground works	August 6/02	Transportation, Operations and Environment	Staff to provide report which outlines inventory of underground and aboveground works, road construction with budget amounts	
DD.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	
EE.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
FF.	Correspondence from Ministry of Transportation respecting Highway 6 from Highway 5 to Concession	Council Communication of July 10	TOE	Staff to report back to Committee of the Whole	

	Issue	**Date Action Initiated**	**Lead Dept/Div**	**Status**	**Agenda Item**
GG.	Petition - reduction in speed on Leeming Road	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
HH.	Petition - installation of a right paved turning lane to Algonquin going east on Highway #5	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
II.	Correspondence from Municipality of Niagara respecting Water Quality Protection Strategy	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	

SECTION 2

SECTION

SECTION 4

AFFECTS WARD 8

CITY OF HAMILTON

4.1

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 16, 2002	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Intersection of Donnici Drive and Donnici Drive – Intersection Control (TOE02181) - (Ward 8)**

RECOMMENDATION:

(a) That northbound traffic on Donnici Drive be required to stop for eastbound and westbound traffic on Donnici Drive.

(b) That the attached by-law to amend City of Hamilton By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that stop control be implemented at the intersection of Donnici Drive and Donnici Drive. Staff support introducing a stop on the stem of “T-type Intersections”, as it will provide clearer designation of right-of-way.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 8.

Staff have received a request from an area resident, that stop control be implemented at the intersection of Donnici Drive and Donnici Drive, as there is no form of traffic control at this intersection.

The subject intersection is a “T” type intersection. There have been no intersection related collisions at this intersection. Staff support the principle of stopping one direction of traffic at “T” type intersections in lieu of the otherwise applicable “right-hand rule”, which may not be clearly understood by all motorists. Therefore, staff recommend that northbound traffic on Donnici Drive be required to stop for eastbound and westbound traffic on Donnici Drive.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of stop control. There have been no reported intersection related collisions at this intersection, which is an indication that the intersection is operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersection, thus, reducing the potential for collisions and providing a safer community.

Attached: By-law & Key Map

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   “Donnici Northbound Donnici“

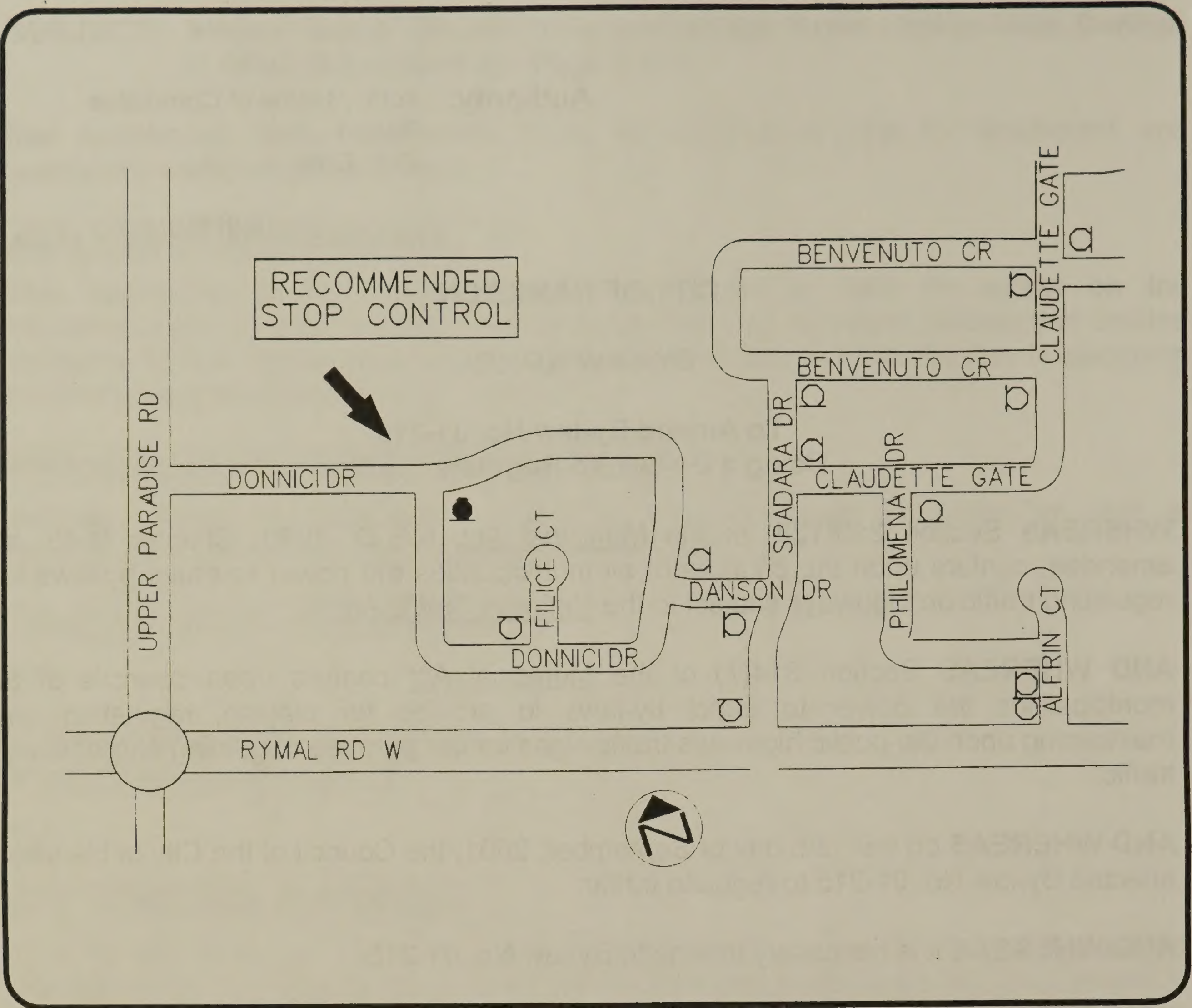
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

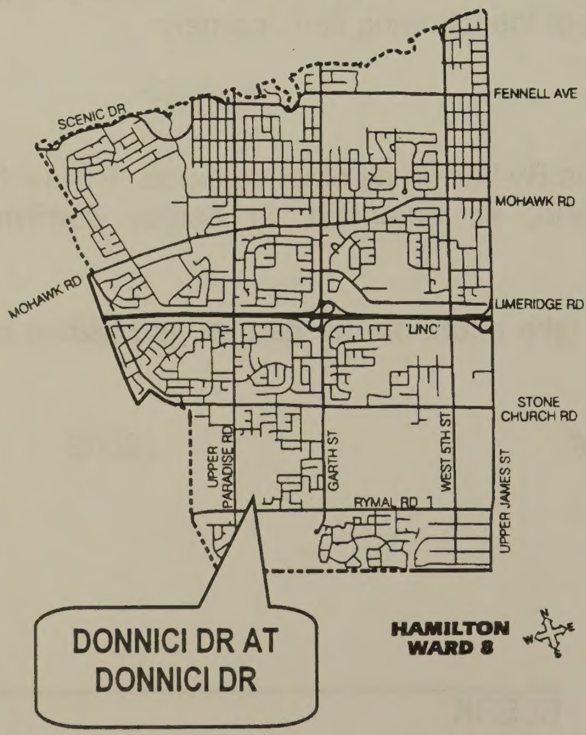
PASSED and ENACTED this day of , 2002

MAYOR

CLERK


RECOMMENDED STOP CONTROL
UPPER PARADISE RD
DONNICI DR
FILICE CT
DONNICI DR
DANSON DR
SPADARA DR
BENVENUTO CR
BENVENUTO CR
CLAUDETTE GATE
CLAUDETTE GATE
PHILOMENA DR
ALFRIN CT
RYMAL RD W
N

KEY MAP


FENNELL AVE
SCENIC DR
MOHAWK RD
MOHAWK RD
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER PARADISE RD
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD
DONNICI DR AT DONNICI DR
HAMILTON WARD 8
N

LOCATION PLAN

STOP CONTROL
NORTHBOUND
DONNICI DRIVE
AT DONNICI DRIVE
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

	RECOMMENDED		EXISTING
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
◗	STOP SIGN	D	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE	DATE
NOT TO SCALE	2002-09-16

REFERENCE FILE NO: **TOE02181**

AFFECTS
WARD 7

CITY OF HAMILTON

4.2

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 16, 2002	**Prepared by:**	Rob Galloway Extension 4585

SUBJECT: **Bianca Drive and Upper Wentworth Street - Intersection Control (TOE02179) - (Ward 7)**

RECOMMENDATION:

(a) That eastbound traffic on Bianca Drive be required to stop for northbound and southbound traffic on Upper Wentworth Street; and

(b) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be approved and enacted

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that stop control be implemented at the intersection of Bianca and Upper Wentworth. Staff support introducing a stop on the stem of the "T", as it will reinforce the expected operation of this type of intersection.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 7.

Staff received a request from an area resident that stop control be implemented on Bianca at Upper Wentworth as there is no stop control at this intersection.

The subject intersection is a "T" type intersection with no intersection control. There have been no reported collisions at this intersection. Staff supports the principle of stopping one direction of traffic at "T" type intersections in lieu of the otherwise applicable "right-hand rule", which may not be clearly understood by all motorists.

Therefore, staff recommends that eastbound traffic on Bianca be required to stop for northbound and southbound traffic on Upper Wentworth.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of stop control. The subject intersection is presently uncontrolled and has operated this way since construction. There have been no reported collisions at this intersection, which is an indication that the intersection is operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersection, thus, reducing the potential for collisions and providing a safer community.

Attached: Key Map & By-law

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   "Bianca Eastbound Upper Wentworth"

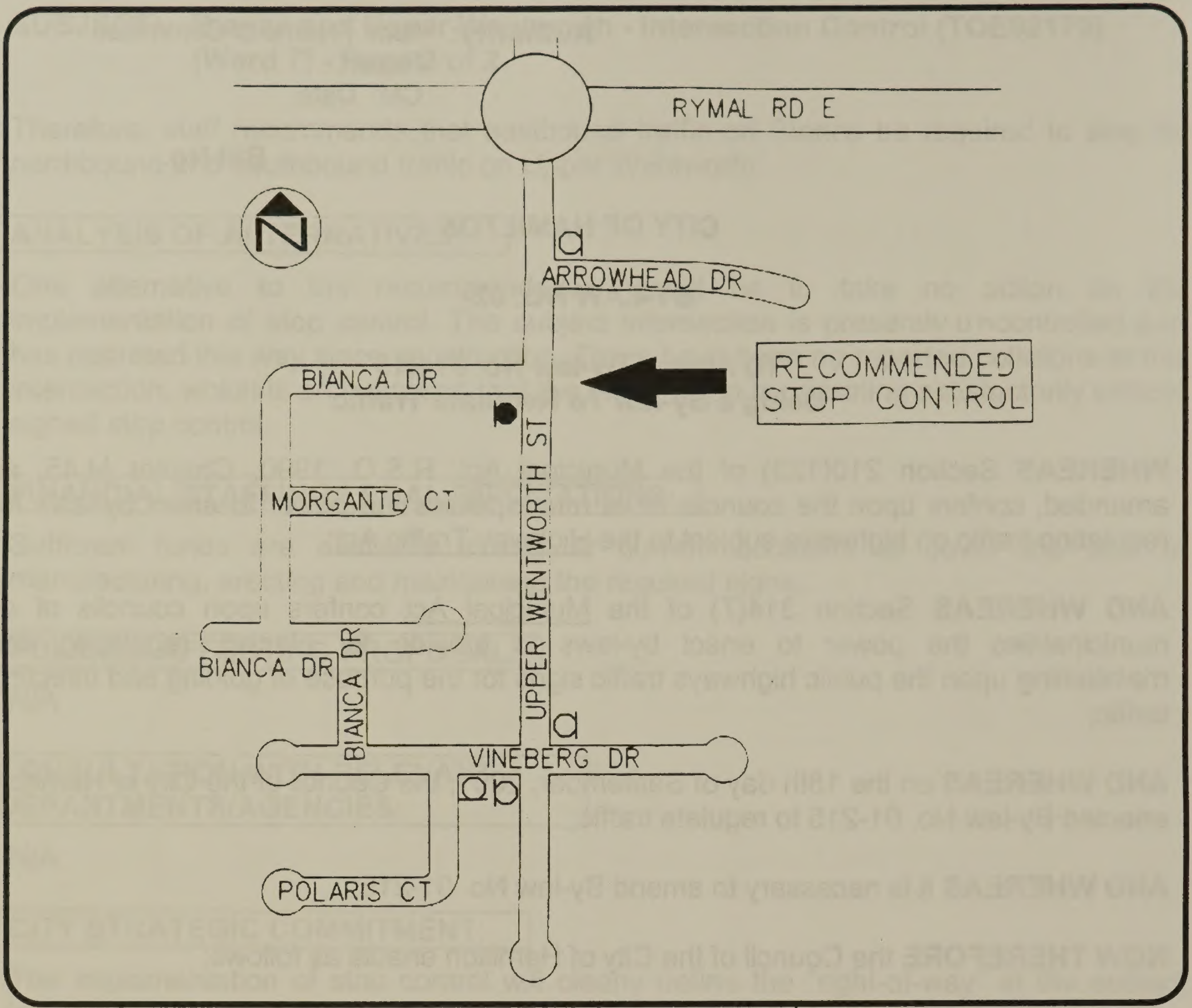
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

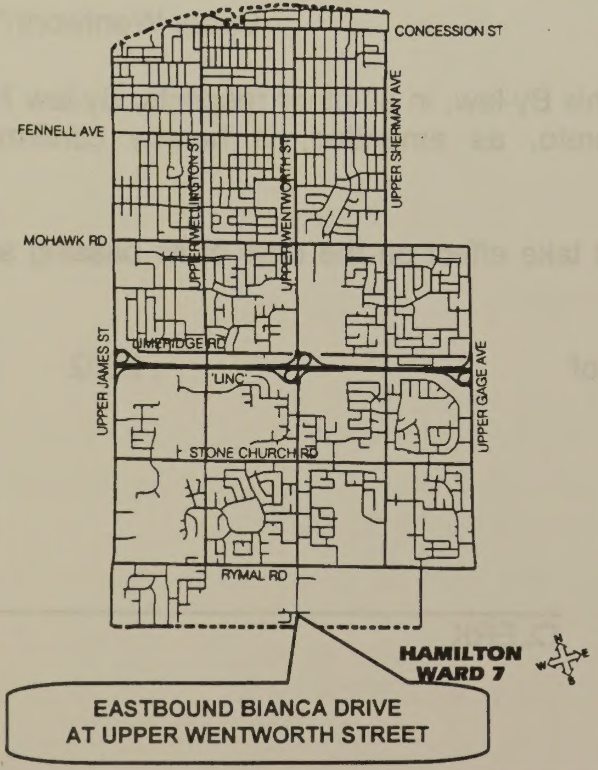
PASSED and ENACTED this day of , 2002

MAYOR

CLERK


RYMAL RD E
ARROWHEAD DR
RECOMMENDED STOP CONTROL
BIANCA DR
MORGANTE CT
UPPER WENTWORTH ST
BIANCA DR
BIANCA DR
VINEBERG DR
POLARIS CT
N

KEY MAP


CONCESSION ST
FENNELL AVE
MOHAWK RD
UPPER WELLINGTON ST
UPPER WENTWORTH ST
UPPER SHERMAN AVE
UPPER JAMES ST
LIMERIDGE RD
'LINC'
UPPER GAGE AVE
STONE CHURCH RD
RYMAL RD
HAMILTON WARD 7
EASTBOUND BIANCA DRIVE AT UPPER WENTWORTH STREET

LOCATION PLAN

STOP CONTROL:

EASTBOUND BIANCA DRIVE
AT
UPPER WENTWORTH STREET

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	◌	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE	DATE
NOT TO SCALE	2002-09-16

REFERENCE FILE NO: **TOE02179**

AFFECTS
WARD 8

CITY OF HAMILTON

4.3

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 16, 2002	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Request for Northbound Stop Control on Cedarlawn Court at Greencedar Drive (TOE02178) - (Ward 8)**

RECOMMENDATION:

(a) That northbound traffic on Cedarlawn Court be required to stop for eastbound and westbound traffic on Greencedar Drive; and

(b) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that northbound stop control be implemented at the “T” type intersection of Cedarlawn Court and Greencedar Drive in Ward 8. The subject intersection is a three-leg intersection and currently, there are no intersection control signs in place. Staff supports the principle of stopping one direction of traffic at “T” type intersections in lieu of the otherwise applicable right-hand-rule that may not be clearly understood by all motorists. Therefore, staff concurs with the request, as it will reinforce the expected operation of this type of intersection.

BACKGROUND:

The recommendation contained in this report primarily affects Ward 8.

Staff received a request from a resident of Gurnett Drive, that northbound stop control be implemented at the “T” type intersection of Greencedar Drive and Cedarlawn Court. The subject intersection is a “T” type intersection and currently, there are no intersection control signs. There have been no reported collisions at this intersection in at least the past five years. Staff supports the principle of stopping one direction of traffic at "T" type intersections in lieu of the otherwise applicable right-hand-rule that may not be clearly understood by all motorists. Therefore, staff concurs with the request and recommends that northbound traffic on Cedarlawn be required to stop for eastbound and westbound traffic on Greencedar.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action. The subject intersection is uncontrolled and has operated safely this way since its construction approximately 15 +/- years ago.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the right-of-way at the subject intersection, thus, reducing the potential for collisions and providing a safer community environment.

Attached: Map & By-law

Bill No.

City of Hamilton

BY-LAW NO. 02-

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

   "Cedarlawn Northbound Greencedar"

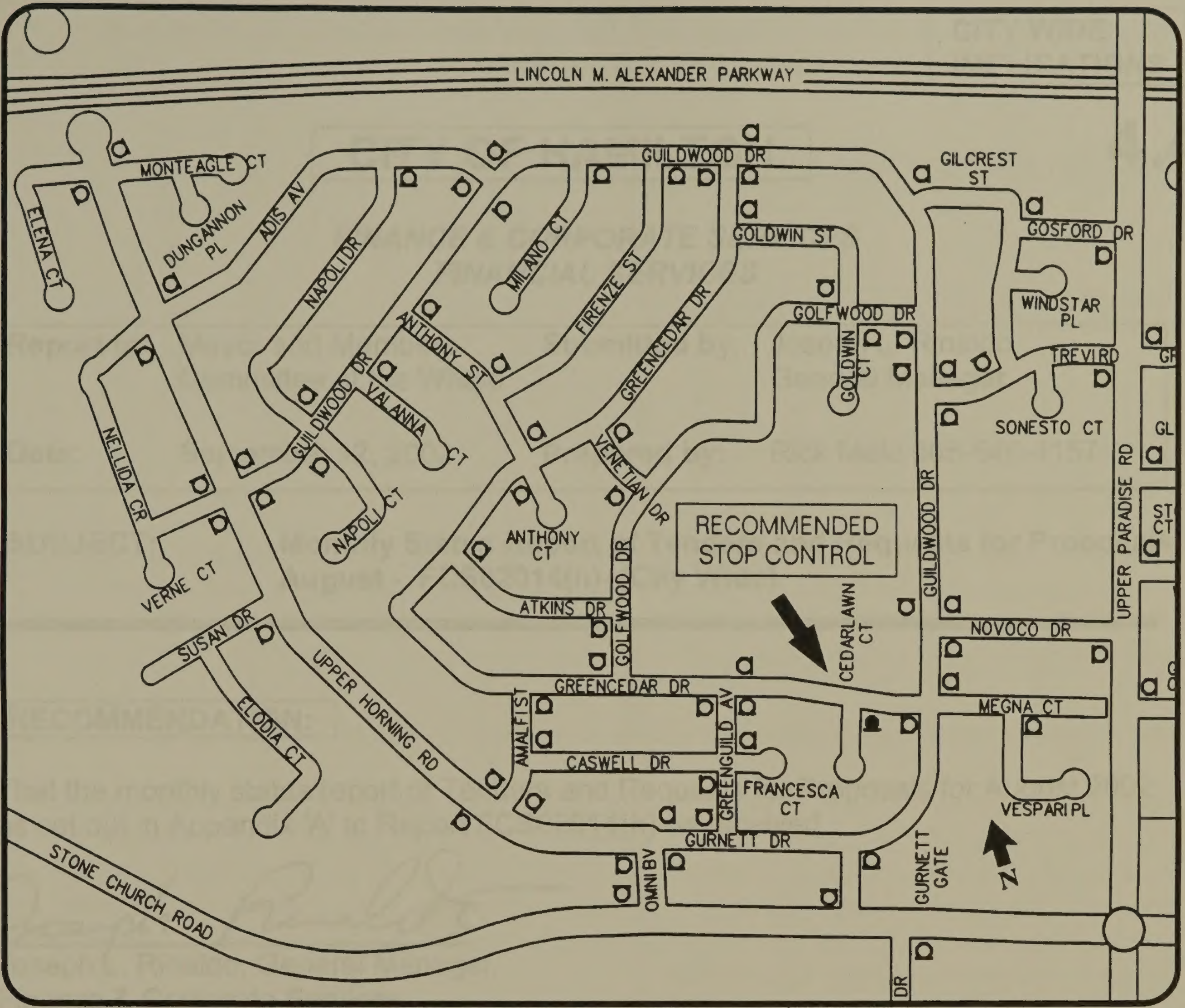
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

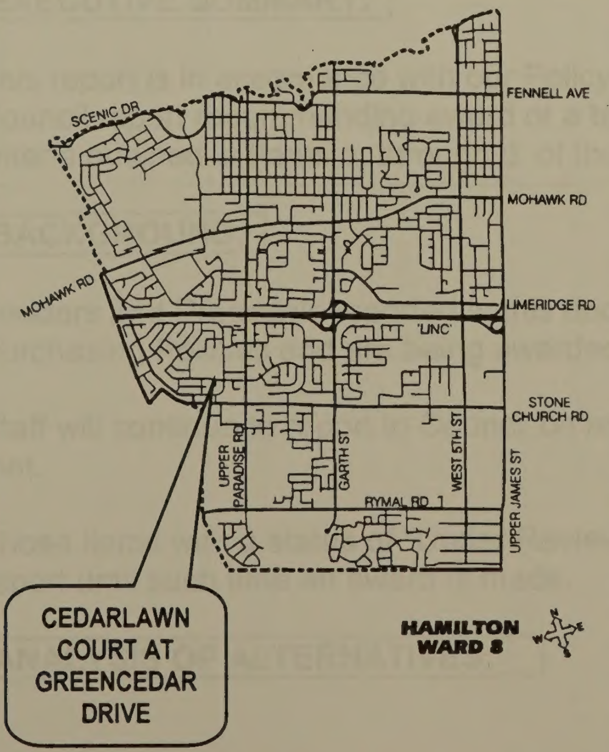
PASSED AND ENACTED this day of A.D. 2002

MAYOR

CITY CLERK


LINCOLN M. ALEXANDER PARKWAY
MONTEAGLE CT
ELENA CT
DUNGANNON PL
ADIS AV
NAPOLI DR
GUILDWOOD DR
MILANO CT
FIRENZE ST
GREENCEDAR DR
GOLDWIN ST
GILCREST ST
GOSFORD DR
WINDSTAR PL
TREVI RD
GOLFWOOD DR
GOLDWIN CT
SONESTO CT
ANTHONY ST
VALANNA CT
NELLIDA CR
VENETIAN DR
NAPOLI CT
ANTHONY CT
VERNE CT
RECOMMENDED STOP CONTROL
ATKINS DR
GOLFWOOD DR
CEDARLAWN CT
GUILDWOOD DR
UPPER PARADISE RD
NOVOCO DR
SUSAN DR
UPPER HORNING RD
ELODIA CT
GREENCEDAR DR
AMALFI ST
CASWELL DR
GREENGUILD AV
FRANCESCA CT
MEGNA CT
VESPARI PL
GURNETT DR
STONE CHURCH ROAD
OMNI BV
GURNETT GATE
N
DR

KEY MAP


FENNELL AVE
SCENIC DR
MOHAWK RD
MOHAWK RD
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER PARADISE RD
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD
CEDARLAWN COURT AT GREENCEDAR DRIVE
HAMILTON WARD 8
N

LOCATION PLAN

STOP CONTROL:
NORTHBOUND
CEDARLAWN COURT AT
GREENCEDAR DRIVE
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	D	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE	DATE
NOT TO SCALE	2002-09-16

REFERENCE FILE NO: TOE02178

CITY WIDE IMPLICATIONS

4.4

CITY OF HAMILTON

FINANCE & CORPORATE SERVICES
FINANCIAL SERVICES

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo General Manager
Date:	September 12, 2002	**Prepared by:**	Rick Male 905-546-4157

SUBJECT: **Monthly Status Report of Tenders and Requests for Proposals August - FCS02014(h)- (City Wide)**

RECOMMENDATION:

That the monthly status report of Tenders and Requests for Proposals for August 2002 as set out in Appendix 'A' to Report FCS02014(h) be received.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager,
Finance & Corporate Services

EXECUTIVE SUMMARY:

This report is in accordance with our Policy #6, Council Approval of Contracts, whereby a Council report recommending award of a tender or proposal is not required when the criteria outlined in Items a. through d. of the policy have been met.

BACKGROUND:

Tenders and Proposals reported in this document have been issued in accordance with Purchasing Policies and are being awarded to the lowest acceptable bid.

Staff will continue to report to Council on awards where the conditions have not been met.

Those items with a status of "Under Review" or "Pending Approval" will remain on the report until such time an award is made.

ANALYSIS OF ALTERNATIVES:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

POLICIES AFFECTING PROPOSAL:

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

This report encompasses all Tenders and Proposals issued by the City and is produced in consultation with the Transportation, Operations and Environment Department.

CITY STRATEGIC COMMITMENT:

The recommendation contained within this report has City-wide implications.

Tenders and Proposals are issued to encourage the competitive bidding process with objective and equitable treatment of all vendors, in accordance with the Purchasing Policies approved by Council. Further, the City of Hamilton's commitment to procure goods and/or services with due regard to the preservation of the natural environment and to encourage the use of "environmentally friendly" products and services, as supported by the Pollution Prevention Committee.

CITY OF HAMILTON

Summary of Tenders & Proposals Issued - August, 2002

Reference	***Project Description***	***Closing Date***	***Status Award Information***
C3-09-02	Interior Design Services	February 27	Jeannie Judge, Designer - $55.00 Hour
TOE-02-01(HSW)	Watermain replacement, sewer repairs, storm sewers and road reconstruction on Hughson Street from Main Street East to Hunter Street and on Walnut Street from Main Street East to King Street East (Ward 2)	March 21	Under Review
C3-25-02	RFP for Real Estate Service	May 2	Under Review
C11-33-02	Supply & Delivery of Digitally Timed Solid State Traffic Signal Controllers & Associated Hardware	May 13	Pending Award
C11-34-02	RFP for Project Management Services for Water Metering	May 14	Under Review
C3-37-02	Addition & Alteration to Hamilton Emergency Services Administration Offices	June 5	Pending Award
C11-43-02	Supply & Delivery of Lubricants to Fleet Services, Fire and Police	June 7	Pending Award
C11-12-02	Supply & Delivery for Brake Linings, Parts & Services for Use By Hamilton Transit Operations	June 12	Under Review
C11-27-02	RFP for Household Special Waste Collection & Disposal	June 13	Under Review
TOE-02-30(HW)	Watermain replacement, road resurfacing, curb and sidewalk repair on Donlea Drive from Oakcrest Drive and sidewalk repair on Donlea Drive from Oakcrest Drive (Ward 6)	June 25	Anders Contracting $375,501.52
C11-42-02	Winter Controls – Equipment & Operator Snow Plows & Anti-Icing Unit	July 5	Under Review
C7-06-02	For Provision of Audio / Visual Services	July 5	Under Review

Reference	*Project Description*	*Closing Date*	*Status Award Information*
C4-01-02	RFP for the Provision of Newspaper Advertising Space	July 5	Under Review
C4-03-02	RFP for the Provision of Direct Distribution Advertising	July 5	Under Review
C3-48-02	RFP for Consolidated Parkland Dedication Policy & Bylaw Study	July 8	Under Review
TOE-02-36(HSW)	Road reconstruction, replacement watermain, storm sewer construction and sanitary sewer repairs on Mountain Avenue, asphalt resurfacing and sewer repairs on Maple Avenue from Mountain Avenue to Lake Avenue and Lake Avenue South from Maple Avenue to King Street (City of Hamilton - Ward 9)	~~July 9~~ August 15	Rankin Construction $781,695.46
TOE-02-33(HW)	Proposed watermain replacement and road resurfacing on Sherman Avenue North from King Street East to Cannon Street and on Gage Avenue North from Barton Street East to Beach Road (City of Hamilton Ward 3)	July 11	Under Review
C3-47-02	Interim Improvements to City Hall Forecourt	July 12	Under Review
C11-35-02	Supply & Delivery of Brake Parts and Service for Cars, Light Duty Trucks and Heavy Duty Vehicles	July 17	Under Review
TOE-02-37(H)	Road resurfacing with associated adjustments/base repairs and minor curb & walk replacement on the following: Barton Street E. – Bay Street N. to Queen Street N., Fennell Ave W. – 200m east of Auchmar Rd to West 2nd St. Locke Street S. – Herkimer Street to Aberdeen Avenue Scenic Drive – Lyle Avenue to West 32nd Street Upper Sherman Ave – Jasmine Street to Limeridge Road E., Garth Street – Auchmar Road to Fennell Avenue W. (City of Hamilton Wards 1, 2, 7 & 8)	July 18	Under Review
C11-59-02	Construction of Hauled Sewage Dump Station at Woodward Avenue Wastewater Treatment Plant	July 19	Under Review
C11-54-02	Aboveground Fuel Storage Facilities Upgrades	July 19	Under Review
C11-57-02	Supply Delivery of Four 26,000 Lb. Cab & Chassis Complete with 35 Foot Telescopic Aerial Lifts	July 22	Wajax Industries $639,780.00

Reference	***Project Description***	***Closing Date***	***Status Award Information***
C11-56-02	RFP for Hamilton's West Harbour Planning Area Study	July 22	Under Review
C11-39-02	Dundas Wastewater Treatment Plant Sand Filter Upgrades	July 24	Under Review
C12-9-02	Plumbing & Pipefitting Services as Required at Various Facilities within the City of Hamilton	July 25	Under Review
C12-10-02	Various Painting, Wallcovering and Sandblasting Services as Required at Various Facilities within the City of Hamilton	July 25	Under Review
C12-8-02	H.V.A.C. Maintenance Services Required at Various Facilities	July 31	Under Review
C11-53-02	Tender for the Supply & Delivery of Leased Transit Tires	August 1	Under Review
C3-58-02	RFP for Consulting Services to Perform a "Service Review"	August 2	Under Review
C11-61-02	Tender for Rental of One (1) Dual Stream 60 /40 Split Side Loading Waste Collection Vehicle – 12 Month Rental with Option to Purchase	August 2	Joe Johnson Equipment $100,050.00
C11-68-02	Tender for Woodward Avenue Wastewater Treatment Plant, Raw Sewage Pump Station, Knife Gate Valve Installation	August 2	Under Review
TOE-02-40	Garner Road Pumping Station	August 2	Under Review
C3-61-02	RFP for Design and Supply of Travelling Exhibition	August 7	Under Review
C11-63-02	RFP for Supply of Various Containers for Organic Waste Collection Demonstration Project	August 8	Under Review
TOE-02-32	Proposed road and sidewalk reconstruction, storm sewer construction and watermain replacement on Coronation Ave. from Mayhurst St. to Parkdale Ave. S.,Road and sidewalk reconstruction and storm sewer construction on Parkdale Ave. S. from Coronation Ave. to King St. E., and Road and sidewalk reconstruction and watermain replacement on Mayhurst St. from Coronation Ave. to King St. E.	August 8	Wesroc Construction $226,198.00

Reference	Project Description	Closing Date	Status Award Information
TOE-02-50(M)	Stream restoation and lansdcaping at the former Rennie Street and Brampton Street Landfills	August 8	Under Review
C7-07-02	Tender for the Supply, Delivery and Installation of Ice Floor Covering at Copps Coliseum	August 9	Under Review
C11-64-02	RFP for the Storage and Transfer of Compostable Materials for the Organics Collection Demonstration Project	August 9	Under Review
C11-65-02	RFP for the Processing of Compostable Materials for the Organics Collection Demonstration Project	August 9	Under Review
C3-62-02	Tender for Bocce Storage Building at Eastdale Park & Memorial Park	August 13	Under Review
TOE-02-44(HW)	Road Resurfacing and replacement watermain on Upper James Street from Mohawk Road to the Lincoln M. Alexander Parkway (City of Hamilton Wards 7 & 8)	August 13	Rankin Construction $1,217,068.83
C11-70-02	Tender for Installation of Safety Railing Surrounding North Aeration Tanks at Woodward Avenue Wastewater Treatment Plant	August 14	
TOE-01-37(W)	Universal Water Metering Tender	August 14	Neptune Technology Group $1,602,392.39
TOE-02-36(HSW)	Road reconstruction, replacement watermain, storm sewerconstruction and sanitary sewer repairs on Mountain Avenue,asphalt resurfacing and sewer repairs on Maple Avenue fromMountain Avenue to Lake Avenue and Lake Avenue Southfrom Maple Avenue to King Street (City of Hamilton - Ward 9)	August 15	Rankin Construction $1,217,065.83
TOE-02-49(HW)	Watermain construction on Jones Road from Arvin Avenue to north of the South Service Road and road resurfacing on Jones Road from Barton Street to North of the South Service Road (City of Hamilton Ward 11)	August 20	Under Review
C3-53-02	RFP for Advance Care Paramedic Training Program	August 22	Under Review

Reference	***Project Description***	***Closing Date***	***Status Award Information***
C3-67-02	RFP for Consultant Services Required to Renovate Hamilton Public Library – 55 York Blvd. – 6th Floor	August 23	Under Review
C6-04-02	Tender for Provision of a Service Provider for Enforcement of Municipal By-Laws	August 29	Under Review
TOE-02-25(HW)	Watermain replacement, road and sidewalk reconstruction on: Mahoney - Adeline to Parkdale, Adeline - Barton to Mahoney, Guelph - Goggin to Mahoney, Goggin - Adeline to Parkdale - (City of Hamilton Ward 4)	August 29	Under Review
TOE-02-42(HSW)	Road reconstruction, storm sewer construction, sanitary sewer repairs and watermain replacement on Wellington Street North from Cannon Street to Barton Street (City of Hamilton Wards 2 and 3)	August 29	Under Review
TOE-02-52(H)	Restoration of pavement, alleyway and sidewalk cuts, minor sidewalk and roadway repairs/replacement, contract deficiency corrections and various traffic duct installations for 2002	August 29	Under Review
C9-05-02	RFP for the Supply, Configuration & Installation of Local Wide Area & Wide Area Networking Hardware, Software & Related Equipment for the Hamilton Police Service	August 30	Under Review

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

4.5

FINANCE AND CORPORATE SERVICES
Corporate Management Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo General Manager
Date:	September 06, 2002	**Prepared by:**	Paul Buckle (2597)

SUBJECT: **Amendments to the Municipal Parking Facilities and the On-Street Parking By-laws - (City Wide) (FCS02098)**

RECOMMENDATION:

(a) That the following "housekeeping" amendments be implemented respecting the harmonized by-law regulating On-Street Parking (By-law No. 01-218):

(i) That parking or stopping in any City alleyway be prohibited, provided suitable signs are erected and maintained;

(ii) That stopping within 45 centimetres (18 inches) of any wheelchair ramp leading from a municipal sidewalk to the roadway be prohibited;

(iii) That stopping within 15 metres (50 feet) of an intersection be prohibited, provided suitable signs are erected and maintained;

(iv) That parking in any turn around area or cul-de-sac be prohibited, provided suitable signs are erected and maintained;

(v) That the existing regulation prohibiting stopping within 75 metres of a signalised intersection be amended to prohibit stopping within 76 metres of a signalised intersection;

(vi) That parking a vehicle on a highway for the purpose of displaying it for sale be prohibited;

(vii) That performing automotive services or repairs to a vehicle parked on a highway, including washing the vehicle down but excluding minor emergency repairs to facilitate the removal of the vehicle from the highway, be prohibited;

(b) That the definition of "Heavy Vehicle" in By-law No. 01-216, and By-law No. 01-218 be amended such that vehicles having a gross vehicle weight of 4500 kilograms or less are excluded from said definition;

(c) That an appropriate by-law, in the form attached hereto as Appendix "A" to Report No. FCS02098, be passed and enacted to amend By-law No. 01-216 and By-law No. 01-218 accordingly;

(d) That the Manager of Parking and Enforcement Operations be authorised and directed to submit an application to the Ministry of the Attorney General for a Judicial Order to establish the following penalties:

  (i) $20.00 voluntary early payment amount and $30.00 set fine amount respecting prohibited parking in a City alley, in a turn around area or cul-de-sac and on a highway for the purpose of displaying a vehicle for sale;

  (ii) $50.00 voluntary early payment amount and $75.00 set fine amount respecting prohibited stopping in a City alley, within 45cm of a wheelchair ramp and within 15 metres of an intersection;

  (iii) $105.00 set fine amount respecting the performance of non-emergency automotive services or repairs to a vehicle parked on a highway; and,

(e) That limited authority be delegated to the Manager of Parking and Enforcement Operations to introduce future amendments to By-law No. 01-216 (Municipal Parking Facilities) and By-law No. 01-218 (On-Street Parking) for the purpose of correcting transcription or typographic errors or reconciling the regulations contained therein with existing signage, by submitting the appropriate amending by-law directly to Council, subject to the approval of the Ward Councillor or Councillors having an interest in the matter.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

During the process of harmonising the various parking by-laws for the New City of Hamilton, the regulations addressed in recommendation (a) were incompletely or improperly transcribed and the definitions addressed in recommendation (b) have proven unsatisfactory in their present form. This report, therefore, recommends that appropriate amendments to each of the subject by-laws be enacted to provide for continued and effective enforcement of the regulations and that the process for addressing similar matters in the future be streamlined through the use of delegated authority. Staff is also recommending the establishment of fines consistent with those already associated with the subject by-laws.

BACKGROUND:

On September 18, 2001, Council enacted By-law No. 01-216 to Manage and Regulate Municipal Parking Facilities and By-law No. 01-218 to Regulate On-Street Parking in the "New" City of Hamilton. The subject by-laws were the result of a process that sought to harmonise various traffic and parking regulations previously in force and effect in the former municipalities of Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, Stoney Creek and Hamilton-Wentworth Region. Unfortunately certain transcription errors were inadvertently included in the new by-laws and this report, therefore, recommends their correction by amending the subject by-laws in accordance with recommendation (a).

Further, in recommendation (b), staff requests the delegation of limited authority to the Manager of Parking and Enforcement Operations to expeditiously correct such errors of a similar nature in the by-laws as may be discovered in the future. Said authority would apply only to by-law amendments that correct transcription or typographic errors or which reconcile the regulations and schedules set out in the subject by-laws with existing signage. The delegation of authority being proposed parallels that which already applies to the introduction of "routine" parking by-laws. Under the proposed delegated authority, a memorandum describing the recommended correction would be forwarded to the Ward Councillor or Councillors having an interest in the matter and, subject to said Councillors' concurrence, an amending by-law would be submitted to Council for consideration.

It should be noted that recommendations which constitute a fundamental change in the intent or purpose of an existing by-law, or which proposed the creation of a new by-law or regulation, would not be subject to the delegated authority proposed above, but rather, would be introduced to the appropriate Committee in accordance with the City's existing reporting process.

Recommendation (b) brings the definition of "Heavy Vehicle", as found in the subject by-laws, into conformity with Section 16(1) of the Highway Traffic Act. The Act requires that no person shall operate a commercial vehicle having a registered gross vehicle weight in excess of 4500 kilograms, with certain exceptions such as emergency vehicles, unless the operator is the holder of a valid Commercial Vehicle Operators Registration certificate. Given that the Province deems 4500 kilograms to be the appropriate weight threshold for certification purposes, staff recommends that the City adopt the same threshold respecting heavy vehicles parking in residential areas and on municipal car parks and, thereby, simplify enforcement and reduce confusion amongst heavy vehicle operators.

ANALYSIS OF ALTERNATIVES:

Recommendations (c) and (d) represent the consecution of recommendations (a) and (b) and are, as such, immaterial to the purpose of this section.

Option 1 - No Action

With respect to recommendation (a), taking no action would result in regulations that were once in force and effect remaining unenforceable or continuing in error as compared to the original regulation that they replaced.

With respect to recommendation (b), taking no action would, to some degree, reduce the efficiency of enforcement operations and, more importantly, perpetuate the current confusion among heavy vehicle operators as to the definition of a “heavy vehicle". At present, a heavy vehicle is defined in By-law No. 01-216 as a vehicle having a registered gross weight of 2500 kilograms, and in By-law No. 01-218 as a vehicle having a registered gross weight of 4000 kilograms. Establishing one standard that is consistent with the Highway Traffic Act will mitigate this confusion and rationalise the existing prohibitions.

With respect to recommendation (e), taking no action would necessitate that corrective by-law amendments continue to be introduced, in each case, with a report to the Committee of the Whole. This would result in a gratuitous expenditure of time and effort by both staff and the members of the Committee, no matter how routine or obligatory the amendment might be.

Option 2 – Other Amendments

With respect to recommendation (a) and recommendation (b), the consideration of amendments other that those proposed would result in inconsistencies in the subject by-laws as they compare to previous or existing municipal and provincial legislation.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications

No financial implications apply to any of the recommendations, since recommendation (a) reintroduces or more accurately presents regulations previously or at present in force and effect, recommendation (b) provides for a rational method of defining a heavy vehicle and recommendation (e) is limited to efficiencies attainable with respect to the City's reporting process.

Staffing Implications

No staffing implications apply.

Legal Implications

Minor legal implications are associated with recommendation (a), given that proposed amendments correct transcription errors in the subject by-laws and brings said legislation into conformity with previous statutes.

Recommendation (b) resolves an apparent conflict between municipal and provincial statutes and has no legal implication save and except that it requires an amendment to the subject by-laws.

There are no legal implications associated with recommendation (c) save and except that it implements recommendations (a) and (b).

There is a minor but advantageous legal implication associated with recommendation (d), in that it allows the City to rely upon Parts I and II of the Provincial Offences Act, i.e. the issuance of Provincial Offence Notices and Parking Infraction Notices for the purpose of enforcing the regulations proposed by (a) and (b).

There are no legal implications associated with recommendation (e).

POLICIES AFFECTING PROPOSAL:

The subject recommendations are consistent and in compliance with the City's policies respecting enforcement, legislation and delegation of authority.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

All matters set out herein, save recommendation (b), are internal in nature and, consequently, there is no benefit to consulting other Departments or outside agencies.

The issue respecting the definition of "heavy vehicle" addressed in recommendation (b) was brought to our attention by the Police Department and, consequently, Police and Prosecution staff of the Legal Services and Corporate Counsel Department were consulted.

CITY STRATEGIC COMMITMENT:

Health Impacts

None.

Social Impacts

Recommendations (a) and (b) comply with the Safety and Security component of the City's Strategic Commitment in that appropriate Parking and Traffic regulations contribute to the identification, reduction and management of risks, specifically risks associated with traffic matters.

Environmental Impacts

None.

Economic Impacts

None.

PDB/MBH/pdb

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 12(5) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom clause "(l)" in its entirety and by substituting in its place the following clause, namely:

   "(l) On any driveway in the area between a municipal sidewalk and the roadway; or,"

2. Section 12(5) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following clauses, namely:

   "(m) In any City alleyway, provided suitable signs prohibiting parking are erected and maintained; or,

   (n) In any turn-around area or cul-de-sac, provided suitable signs are erected and maintained; or,

   (o) On any highway for the purpose of displaying it for sale."

3. Section 13(1) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom clause "(i)" in its entirety and by substituting in its place the following clause, namely:

"(i) Within seventy-six (76) metres [250 ft.] of any signalized intersection, provided suitable signs are erected and maintained, except buses at a sign marking a bus stop, and save that this prohibition shall not apply to the parking of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, within a loading bay constructed adjacent to the through lanes of the roadway and designated as such in the appropriate schedule subjoined to and forming a part of this by-law;"

and by deleting therefrom clause "(q)" in its entirety and substituting in its place the following clause, namely:

"(q) Less than three (3) metres [10 ft.] from a point at the edge of the roadway which is directly opposite a hydrant and on the same side of the roadway as said hydrant; or,"

4. Section 13(1) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following clauses, namely:

"(r) In any City alleyway, provided suitable signs prohibiting stopping are erected and maintained; or,

(s) Within forty-five (45) centimetres [18 in.] of any wheelchair ramp leading from a municipal sidewalk to the roadway; or,

(t) Within fifteen (15) metres [50 ft.] of an intersection, provided suitable signs are erected and maintained."

5. By-law No. 01-218, as amended, is hereby further amended by renumbering Sections 23 through 36, both inclusive, as Sections 24 through 37, respectively.

6. By-law No. 01-218, as amended, is hereby further amended by adding thereto the following prohibitive section, namely:

"23 No person shall:

(1) Wash down any vehicle parked, stopped or standing on any highway.

(2) Perform automotive services, maintenance or repairs, to any vehicle parked, stopped or standing on any highway.

Save and except that this section shall not prohibit the performance of minor emergency repairs necessary to provide for the safe removal of the subject vehicle from the highway."

7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this day of , 2002

MAYOR

CLERK

AFFECTS
WARDS 10, 11,
12, 14, 15

CITY OF HAMILTON

4.6

PLANNING AND DEVELOPMENT DEPARTMENT

Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 13, 2002	**Prepared by:**	Cathy Plosz (905) 643-1262 Ext. 231

SUBJECT: Proposed Official Plan Amendment - New Environmentally Significant Areas (PD02201) (Wards 10, 11,12,14, and 15)

RECOMMENDATION:

(a) That Report PD02201 and Appendices A, B, and C attached to Report PD02201, respecting new Environmentally Significant Areas (ESAs), be received by Committee of the Whole for information.

(b) That the Planning and Development Department be authorized and directed to initiate a public consultation process to inform the community and receive public comments related to the identification of 16 new Environmentally Significant Areas and 5 extensions to existing Environmentally Significant Areas.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Environmentally Significant Areas (ESAs) are natural areas that have been identified as significant sites worthy of conservation in the former Region of Hamilton-Wentworth's Official Plan. Since 1994, when 67 ESAs were identified in the Regional Official Plan, new research has provided additional information on other natural areas.

Planning and Development Department staff has used this information to identify 16 new Environmentally Significant Areas and 5 extensions to existing ESAs to be recommended for inclusion, in the Regional and Stoney Creek Official Plans. These areas have been identified as significant based on scientific criteria developed by a

Technical Steering Committee. A map showing ESA candidate areas is attached as Appendix A to Report PD02201.

Planning staff will initiate a process to amend the Regional Official Plan to include these 21 sites as ESAs. The amendment will involve revising Map No. 4, ESA criteria found in Section C1.2, and the definition of ESAs in Section D-11 in the Regional Official Plan. The Stoney Creek Open Spaces and Natural Environment System (SCONES) mapping will also have to be amended to reflect the 3 new ESAs in the former municipality of Stoney Creek. A public consultation process will consist of two public Open Houses in the fall of 2002 and another public meeting before Hearings Sub-Committee to consider final recommendations and the proposed Official Plan amendments.

BACKGROUND:

What are Environmentally Significant Areas?

The Planning Act and the Provincial Policy Statement require that municipalities develop policies to conserve natural heritage features. Environmentally Significant Areas (ESAs) are natural areas that have been identified as significant natural sites worthy of protection. They are identified based on criteria such as ecological function, hydrological function, or topography. Because they are significant, ESAs are identified in the Regional Official Plan and policies for their protection are found in Section C1.2.

As we learn more about natural areas, new ESAs have been added to the Official Plan. In 1976, a study by Ecologistics initially identified 33 areas as ESAs in the Regional Official Plan. In 1994, existing mapping was refined and 34 new ESAs were added to the Regional Official Plan, bringing the total number to 67.

The Regional Official Plan contains a map of ESAs (Map No. 4) and policies to allow extra consideration in the development approval process to protect the important ecological features and functions found in these areas. A landowner who applies for land use changes within or adjacent to an ESA must have an acceptable Environmental Impact Statement (EIS) prepared and reviewed by the Environmentally Significant Areas Impact Evaluation Group (ESAIEG) before any land use changes can occur.

This process does not prohibit development, but instead ensures that land use changes are conducted in a manner that is sensitive to the site's environmental features and functions.

How were the Candidate ESAs Selected?

The candidate ESAs presented in this report were selected based on a set of scientifically rigorous criteria developed by a Technical Steering Committee (TSC) to the City of Hamilton, Appendix B to Report PD02201 attached. The Committee consists of biologists from the four Conservation Authorities within Hamilton, the City of Hamilton, Royal Botanical Gardens, Hamilton Naturalists' Club, and the Ministry of Natural Resources. The TSC recently updated the ESA Criteria based on new scientific knowledge to make them more comprehensive and easier to understand.

These areas were identified because they fulfilled one or more of the ESA criteria, which include significant earth science feature (e.g. unique landforms), hydrological function (e.g. groundwater recharge or flood attenuation), and ecological function (e.g. habitat for rare species, fish habitat, or large area with interior forest habitat). The criteria that each site fulfilled are attached as Appendix C to Report PD02201.

How was Information Gathered on the Sites?

Biological inventories were conducted by leading field biologists in Ontario using methods laid out by the Technical Steering Committee. The ESAs proposed in this report were identified using information gathered during these inventories and information from the Ministry of Natural Resources, who identified new Provincially Significant Wetlands and a new Area of Natural and Scientific Interest (Ancaster Prairie).

During inventory projects, landowners were contacted to obtain their permission for project staff to enter their land to conduct their research.

The Candidate Sites

The Planning and Development Department has prepared a report, "Candidate Environmentally Significant Areas Discussion Paper" which provides detailed information (maps, ESA criteria fulfilled, biophysical information) on each of the 21 sites. A copy of this report is available from the Clerk's Division. Maps show the **approximate** boundaries of the candidate areas. Site boundaries are determined based on air photos, field truthing, and on the expert advice of the field staff. Ministry of Natural Resources field staff determined the boundaries for those candidates that are also Provincially Significant Wetlands or ANSIs. Some ESA boundaries shown on the map go beyond City of Hamilton municipal boundaries because natural features and functions do not respect political boundaries. However, only the portion of the candidate ESA within City of Hamilton boundaries will be regulated by Official Plan policies.

Information presented in this report has been reviewed by the Technical Steering Committee to ensure it is scientifically accurate.

Official Plan Amendment Process

The Regional OP must be amended because the Region was responsible for identifying ESAs and developing and implementing ESA policies. The Stoney Creek OP will also be amended because the former municipality developed a detailed map of their open spaces and natural environment (SCONES) which showed ESAs. Other municipalities identified ESAs in their OP maps, but not to the detailed extent that Stoney Creek and the Region did. For this reason, staff recommend amending only the Regional and Stoney Creek Official Plans.

The Regional OP amendment will involve two main changes: ESA mapping and ESA Criteria. The new ESAs will be added to Map No. 4. The revised criteria developed by the TSC were used to identify the candidate ESAs. These criteria differ from those in Sections C1.2 and 11 of the Regional Official Plan, so these sections will be revised to include the new ESA criteria.

The amendment to the Stoney Creek Official Plan will involve adding the three new ESAs in the former municipality of Stoney Creek to the SCONES mapping.

Which Wards in the City of Hamilton are affected?

The table below shows the Wards affected and how many ESA candidate sites are found within each Ward.

Ward Number	Number of ESA Candidates
10	1
11	4
12	2
14	12
15	1
14 and 15 (site overlaps both Wards)	1

Public Consultation

There will be two main opportunities for the public to provide comments and input on the OPA. The first opportunity will be at two Open houses to be held in late October. The purpose of the Open Houses will be to provide copies of the Discussion Paper, present the new ESAs, and receive comments on the scientific information presented. Staff will also address public questions about ESAs and what it means to have your property identified as an ESA. Comments will be received for a period of 3 weeks after the Open Houses.

After comment period is completed, staff will revise the Discussion Paper based on public comments. The Official Plan amendments will be presented to Hearings Sub-Committee early in 2003.

ANALYSIS OF ALTERNATIVES:

Why Amend the Official Plans at this time?

Staff recommend proceeding with the OP amendment to identify these 21 areas as ESAs now, rather than waiting for the new Official Plan for the City of Hamilton to be prepared. By proceeding now, these important sites will be given the recognition and protection they deserve.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – None.

Staffing – None.

Legal – None.

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In preparing this report, the following outside agencies were consulted: Ontario Ministry of Natural Resources, Hamilton Conservation Authority, Grand River Conservation Authority, Niagara Peninsula Conservation Authority, Conservation Halton, Hamilton Naturalists' Club, and Royal Botanical Gardens. The Environmentally Significant Areas Impact Evaluation Group (ESAIEG) was also consulted when identifying new ESAs.

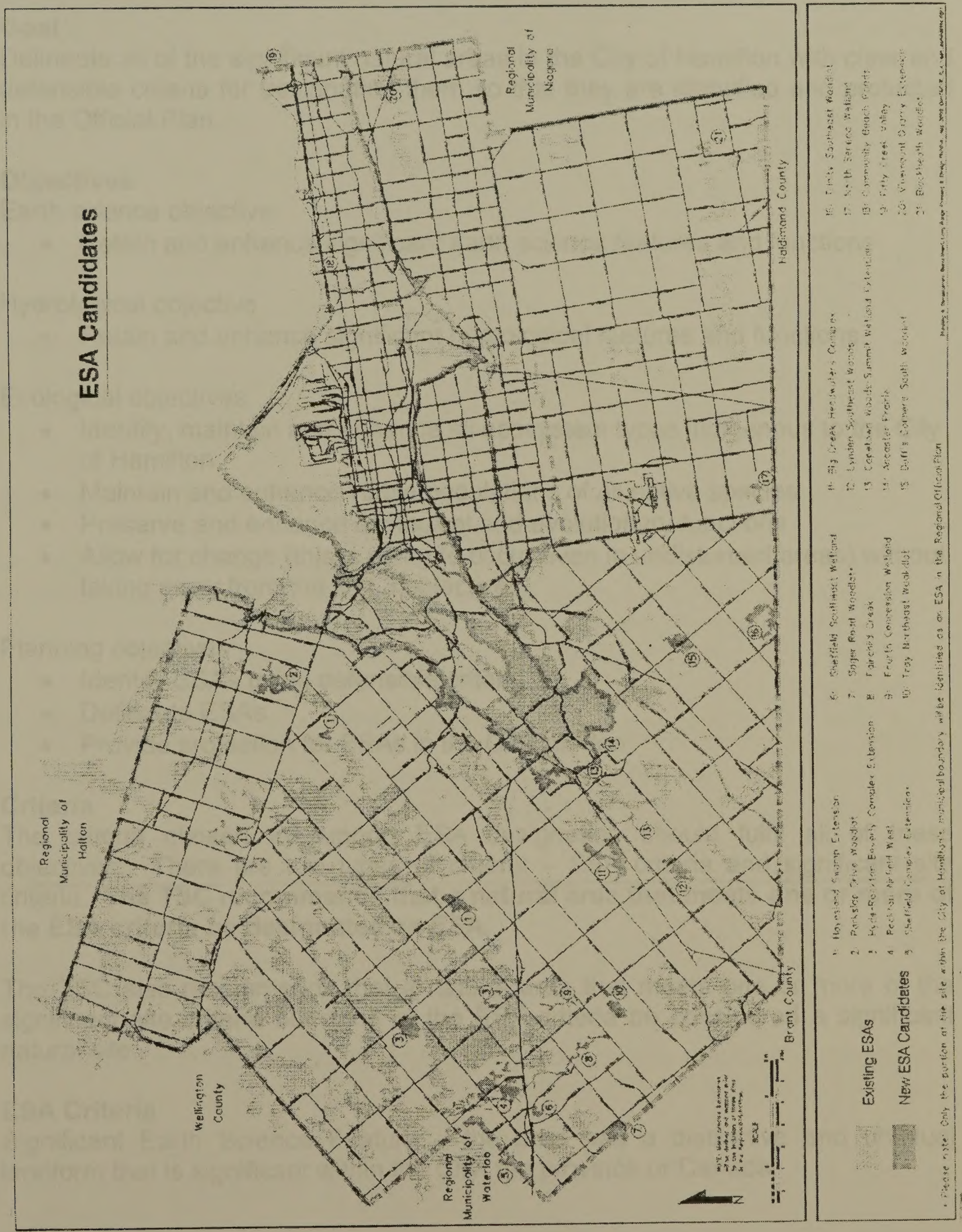
CITY STRATEGIC COMMITMENT:

Protection of significant natural areas as ESAs is essential to the overall quality of life in the City of Hamilton. These areas provide recreational opportunities, and contribute to improved air and water quality and aesthetics. Economic impacts can be positive, as a community with a high quality of life attracts business. Identifying natural areas as ESAs contributes to the Vision 2020 goal of developing and protecting a system of interconnected natural areas which provides for the growth and development of native plants and wildlife.

:CP
Attachs. (3)

Appendix A to Report PD02201
COW
October 1, 2002

Map of Candidate ESAs.


ESA Candidates
Regional Municipality of Niagara
Haldimand County
Brant County
Regional Municipality of Halton
Wellington County
Regional Municipality of Waterloo
Existing ESAs
New ESA Candidates
1. Hayesland Swamp Extension
2. Parkside Drive Woodlot
3. Hyde-Rockton Beverly Complex Extension
4. Rockton Airfield West
5. Sheffield Complex Extension
6. Sheffield Southeast Wetland
7. Sager Road Woodlot
8. Fairchild Creek
9. Fourth Concession Wetland
10. Troy Northeast Woodlot
11. Big Creek Headwaters Complex
12. Lynden Southeast Woods
13. Copetown Woods-Summit Wetland Extension
14. Ancaster Prairie
15. Duff's Corners South Woodlot
16. Trinity Southeast Woodlot
17. North Service Wetland
18. Community Beach Ponds
19. Fifty Creek Valley
20. Vinemount Quarry Extension
21. Brockheath Woodlot
Please note: Only the portion of the site within the City of Hamilton's municipal boundary will be identified as an ESA in the Regional Official Plan
SCALE

Criteria for the Designation of Natural Areas as ESAs

Goal

Delineate all of the significant natural areas in the City of Hamilton with clear and defensible criteria for designating them so that they are identified and protected in the Official Plan.

Objectives

Earth science objective

- Retain and enhance significant earth science features and functions

Hydrological objective

- Retain and enhance significant hydrological features and functions

Ecological objectives

- Identify, maintain and enhance all ecosystem types indigenous to the City of Hamilton
- Maintain and enhance viable populations of all native species
- Preserve and enhance ecological and evolutionary functions
- Allow for change (this is going to occur even in undisturbed areas) without taking away from the first 3 objectives

Planning objectives

- Identify ESAs using defensible criteria
- Delineate ESAs
- Provide protection for ESAs in the Official Plan

Criteria

The criteria chosen to support ESA designation should fulfil all of these objectives. There are two types of criteria – ESA criteria and significant site criteria. **The TSC recommends that a natural area that meets one or more of the ESA criteria be designated an ESA.**

The TSC also recommends that a natural area that meets one or more of the significant site criteria but none of the ESA criteria be considered a significant natural site.

ESA Criteria

Significant Earth Science Feature – the area has a distinctive and unusual landform that is significant within the City, the province or Canada.

Significant Hydrological Feature or Function – the area contributes significantly to one or more of:

- groundwater recharge
- groundwater discharge
- groundwater quality
- flow attenuation
- surface water quality

Significant Ecological Function – the area has one or more significant ecological functions:

- there is a high diversity of native species or biotic communities
- there are biotic communities that are rare in the City, province or Canada
- the area is a good representative of a biotic community characteristic of the natural landscapes of the City and not adequately represented in existing protected areas or the area is a good representative of a pre-settlement biotic community
- the area is a large core natural area; it may be sufficiently large to provide habitat for species requiring large habitat areas
- the area provides essential habitat for continuation of species; for example, significant areas of species concentrations, areas essential for certain stages of the life cycle, source areas for species
- there is significant habitat for seasonal concentrations of wildlife
- there is significant fish habitat
- the area acts as a link between natural areas or functions as a corridor for wildlife
- the area is in a good natural condition with few non-native species, particularly invasive non-natives
- there is habitat for species considered significant in the City, province or Canada

Significant Site Criteria
Local significance – the area is locally significant; e.g. the area is an isolated remnant natural area in an intensively developed urban or agricultural landscape

Restoration potential – the area has potential to be restored such that it may then meet one or more of the ESA criteria

Aesthetic or historical value – the area contains natural landscapes, including landforms, biotic communities or wildlife features which are considered of aesthetic, historical or cultural importance.

Educational or research value – the area could be or is used for educational or scientific purposes

ESA and Significant Site Criteria Fulfilled

	ESA Criteria															Significant Site Criteria			
Candidate ESA Name	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	1	2	3	4
Parkside Drive Woodlot		✓		✓	✓	✓						✓		✓	✓	✓			
Rockton Airfield West				✓	✓		✓	✓				✓		✓					
Sheffield Southeast Wetland				✓	✓														
Sager Road Woodlot														✓	✓	✓			
Fairchild Creek				✓	✓							✓							
Fourth Concession Wetland				✓	✓														
Troy Northeast Woodlot		✓		✓	✓									✓	✓				
Big Creek Headwaters Complex				✓	✓							✓		✓	✓				
Lynden Southeast Woods														✓	✓	✓			
Ancaster Prairie							✓	✓						✓					✓
Duff's Corners South Woodlot														✓	✓	✓			
Trinity Southeast Woodlot				✓	✓										✓				
North Seneca Wetland							✓	✓						✓					
Community Beach Ponds	✓						✓							✓		✓			
Fifty Creek Valley				✓	✓				✓	✓	✓	✓		✓					
Blackheath Woodlot						✓	✓							✓					
Hayesland Swamp Extension		✓	✓	✓							✓	✓		✓					
Hyde-Rockton-Beverly Complex Extension		✓		✓	✓		✓					✓		✓	✓				
Sheffield Complex Extension		✓		✓	✓							✓			✓				
Copetown Woods-Summit Wetland Extension				✓	✓							✓							
Vinemount Quarry Extension									✓	✓		✓		✓		✓	✓		

CRITERIA

Significant Earth Science Feature

A - The area has a distinctive and unusual landform that is significant within the city, province or Canada

Significant Hydrological Feature or Function

B - Groundwater Recharge
C - Groundwater Discharge
D - Flow Attenuation
E - Surface Water Quality

Significant Ecological Function

F - High Diversity of native species or biotic communities
G - Biotic communities that are rare in the city, province or Canada
H - A good representative of a biotic community characteristic of the natural landscapes of the city and not adequately represented in existing protected areas or the area is a good representative of a pre-settlement biotic community
I - The area provided essential habitat for continuation of species (significant areas of species concentrations, areas essential for certain stages of the life cycle, source areas for species)
J - Significant habitat for seasonal concentrations of wildlife
K - Significant fish habitat
L - The area acts as a link between natural areas or functions as a corridor for wildlife
M - The area is in a good natural condition with few non-native species, particularly invasive non-natives
N - There is habitat for species considered significant in the city, province or Canada
O – Large core natural area; it may be sufficient to provide habitat for species requiring large habitat areas and interior forest habitat.

SIGNIFICANT SITE CRITERIA

1 - Area is locally significant (the area is an isolated remnant natural area in an intensively developed urban or agricultural landscape
2 - Area has the potential to be restored such that it may then meet one or more of the ESA criteria
3 - Area contains natural landscapes, including landforms, biotic communities or wildlife features, which are considered of aesthetic, historical or cultural importance
4 - Area could be used for educational or scientific purpose.

AFFECTS
WARD 2

CITY OF HAMILTON

4.7

TRANSPORATATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 16, 2002	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Removal of Burlington Street East between Wellington Street North and Ferguson Street North from the Truck Route System (TOE02177) - (Ward 2)**

RECOMMENDATION:

(a) That Burlington Street East between Ferguson Avenue North and Wellington Street North be removed from the truck route system; and,

(b) That Catharine Street North between the Dock Service Road and the northerly end be removed from the truck route system; and,

(c) That the Dock Service Road between Catharine Street North and Ferguson Avenue North be removed from the truck route system; and,

(d) That Ferguson Avenue North between Burlington Street East and the Dock Service Road be removed from the truck route system; and,

(e) That an appropriate by-law to amend the City Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

Councillor Andrea Horwath has requested that staff review concerns regarding heavy truck traffic travelling on Burlington, near James. Burlington is a designated truck route between the QEW and Ferguson only. For years, staff has attempted to address concerns regarding illegal truck traffic on Burlington, west of Ferguson. In fact, two years ago Mary (between Barton and Burlington) and Burlington (between Mary and

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

27. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Burlington Street	Windermere Road to Wellington Street	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Catharine Street	Off Dock Service Road	Anytime
Dock Service Road	Off Ferguson Avenue	Anytime
Ferguson Avenue	Burlington Street to Dock Service Road	Anytime
Burlington Street	From Winderemere Road to Mary Street	Anytime
Mary Street	Burlington Street to Barton Street	Anytime"

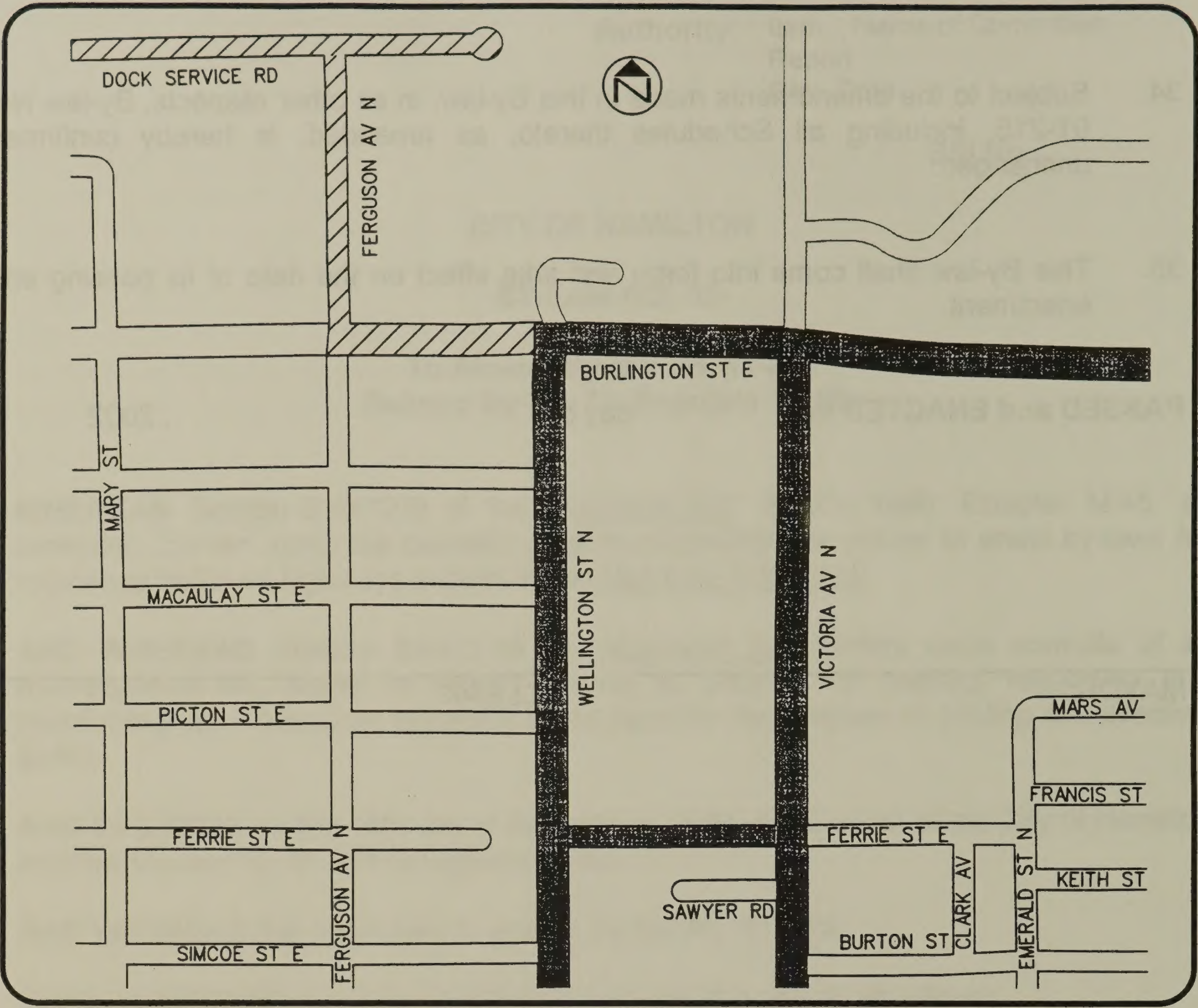
34. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

35. This By-law shall come into force and take effect on the date of its passing and enactment.

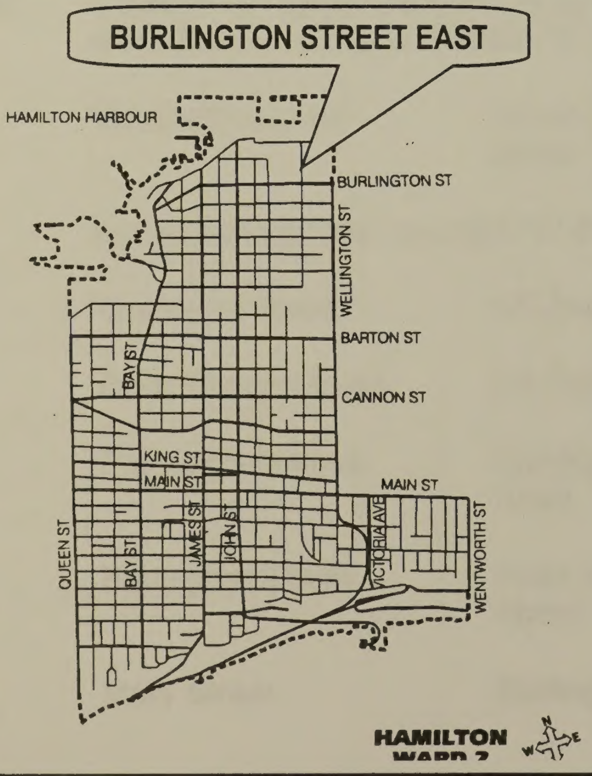
PASSED and ENACTED this day of , 2002

MAYOR

CLERK


DOCK SERVICE RD
FERGUSON AV N
BURLINGTON ST E
MARY ST
MACAULAY ST E
PICTON ST E
FERRIE ST E
SIMCOE ST E
FERGUSON AV N
WELLINGTON ST N
VICTORIA AV N
MARS AV
FRANCIS ST
FERRIE ST E
KEITH ST
SAWYER RD
BURTON ST
CLARK AV
EMERALD ST N

KEY MAP


BURLINGTON STREET EAST
HAMILTON HARBOUR
BURLINGTON ST
WELLINGTON ST
BARTON ST
CANNON ST
BAY ST
KING ST
MAIN ST
MAIN ST
QUEEN ST
BAY ST
JAMES ST
JOHN ST
VICTORIA AVE
WENTWORTH ST
HAMILTON
WARD 2
N
W
E

LOCATION PLAN

PROPOSED DELETION OF BURLINGTON ST EAST BETWEEN WELLINGTON ST NORTH AND FERGUSON AVE NORTH FROM THE TRUCK ROUTE SYSTEM

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

SUBJECT ROAD TO BE REMOVED FROM TRUCK ROUTE, LOCAL ACCESS ONLY

▨

EXISTING TRUCK ROUTE

▓

SCALE	DATE
NOT TO SCALE	**2002-09-16**

REFERENCE FILE NO: **TOE02177**

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

5.1

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	August 30, 2002	**Prepared by:**	Randy Charlton 905 – 643 –1262 x314

SUBJECT: **Noise By-law (PD02166) (City Wide)**

RECOMMENDATION:

(a) That the Noise Control By-law attached to Report PD02166 be approved;

(b) That the Noise Pollution Control Publications, attached as Schedule 1 to By-law No.   as provided by the Ministry of the Environment setting quantitative noise levels be adopted;

(c) That any application lodged for an exemption to the Noise Control By-law be submitted with a non-refundable fee of $500 as per the Fees By-law;

(d) That staff be authorized to apply to the Ministry of Attorney General for the approval of short form wording in order to implement a set fine ticket system pursuant to Part 1 of the Provincial Offences Act;

(e) That Schedule 2, attached to By-law No.   , a map identifying an area of industrial significance be approved. This map includes an area where the acoustical environment is dominated by industrial sounds;

(f) That the area identified as of industrial significance be exempted from the qualitative and quantitative aspects of the Noise Control By-law, when the source of sound is an industrial use;

(g) That Section 12 of the proposed By-law exempting an Industrial Area from the qualitative aspect of the Noise Control By-law be approved;

(h) That the use of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound **outdoors** be prohibited between 11:00 p.m. and 7:00 a.m. of the next day be approved;

(i) That the following Noise By-laws of each municipality be repealed:
City of Hamilton Noise By-law 79-292, as amended;
City of Stoney Creek Noise By-law 676-78, as amended;
Town of Dundas Noise By-law 3080-79 and 3055-78, as amended;
Town of Ancaster Noise By-law 89-109, as amended;
Town of Flamborough Noise By-law 89-164-N, as amended; and,
Township of Glanbrook Noise By-law 490-93, as amended.

(j) That any order issued, or proceeding, conducted under the City of Hamilton By-law 79-292 as amended, The City of Stoney Creek By-law 676-78, as amended, The Town of Ancaster By-law 89-109, as amended, The Town of Dundas By-law 3080-79 and 3055-78, as amended, The Town of Flamborough By-law 89-164-N, as amended and the Township of Glanbrook By-law 490-93, as amended, be deemed to continue under the new Noise Control By-law.

(k) That By-law No. will be in effect on the date of approval by the Minister of Environment.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The proposed By-law evolves from the former City of Hamilton's Noise Control By-law providing for some necessary regulatory changes and a significant formatting overhaul. The proposed By-law is a recommendation for a qualitative and quantitative approach to noise controls and drawing the authority for the by-law from both the Environmental Protection Act and The Municipal Act.

Industrial Aspect

The proposed By-law recognizes an area of industrial significance existing in the former City of Hamilton Noise Control By-law and expands upon this exemption area east to Winona Road, Barton Street north to the Queen Elizabeth Way. This exemption area also includes an area all along the south side of Barton Street (Wellington Street to Winona Road). Within this area the qualitative and quantitative regulations do not apply where the source of sound is an industrial use. After some consultation with industry it was concluded that for industry to respond in the best interests of the acoustical environment to which they operate, qualitative noise regulations not apply where the source of the sound is an industrial area (zone), this regulates industry outside the exemption area.

Commercial/Residential

The production, reproduction or amplification of sound (stereos, speakers and bands) will not be permitted outdoors between 11:00 p.m. and 7:00 a.m. of the following day. Otherwise the production, reproduction or amplification of sound regardless of whether the sound originates indoors or outdoors is not permitted at any time when the sound is clearly audible at a point of reception.

Special Events

Any activity that is lawfully carried on pursuant to a Special Event Permit issued by the City of Hamilton shall not create sound.

- Before 11:00 a.m. and shall end at 12:00 midnight on all days of the week, except Sunday, when the sound shall not begin before 12:00 noon and shall end at 10:00 p.m.
- Exceeding 90 dba measured 10 metres from the source of sound.

Agricultural

The Noise By-law does not apply to a normal farm practice carried on as part of an agricultural operation under the Farming and Food Production Protection Act 1998, S.O. 1998, c-1.

Airport

The jurisdiction over noise emanating from the airport itself, or from planes flying, landing or taking off, is entirely a matter of Federal law.

Exemptions and Exemption Process

Staff has identified specific activities that are to be exempted from the regulations proposed in the Noise Control By-law. Built into the proposed Noise Control By-law is an exemption process, which may be used to exempt activities from regulations within the by-law.

BACKGROUND:

The Ministry of the Environment has for the past number of years slowly backed away from enforcing Noise Pollution Control standards in the Environment Protection Act, placing responsibility on the municipality to respond to noise complaints historically handled by the Ministry of the Environment. The Ministry of the Environment places a heavy onus on the municipality to ensure land uses are complementary.

A review of the area municipalities existing Noise By-laws identified 3 basic approaches to Noise Control By-laws. The City of Stoney Creek, Town of Dundas, Town of

Flamborough had qualitative Noise By-laws drawing the authority for their by-laws from the Municipal Act. The Town of Ancaster and Township of Glandbrook had a qualitative and limited quantitative Noise Control By-law drawing the authority for their by-laws from the Municipal Act. The City of Hamilton had a quantitative and qualitative Noise Control By-law drawing the authority for the by-law from the Environmental Protection Act and modelling itself after the Model Municipal Noise Control By-law drafted by the Ministry of the Environment in 1978.

The proposed By-law evolves from the former City of Hamilton's Noise Control By-law providing for some necessary regulatory changes and a significant formatting overhaul. The proposed By-law is a qualitative and quantitative approach to noise controls regulating and drawing the authority for the by-law from both the Environmental Protection Act and the Municipal Act.

A quantitative approach represents a significant change in noise regulation for the former municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough. A quantitative by-law approach provides for actual noise level measurements, which are found in various Noise Pollution Control Publications (NPCs) published by the Ministry of the Environment. NPCs set out procedures to quantitatively determine an ambient sound level, which may include, depending on the area under study, an acoustical environment where the background noise is dominated either by, the urban hum or natural environment with infrequent human activity. The ambient sound level then becomes a marker for determining if there is a violation of the by-law. The ambient sound level is expressed as a decibel (dBa). Noise Pollution Control Publications (NPCs) may also in some cases set a decibel limit to a source of sound at a point of reception regardless of the ambient sound level. The By-law proposes adoption of the following Noise Pollution Control Publications (NPCs):

Publication - N.P.C. 101 – Technical Definitions

Publication - N.P.C. 102 –Instrumentation

Publication - N.P.C. 103 –Procedures

Publication - N.P.C. 104 –Sound Level Adjustments

Publication - N.P.C. 115 –Construction Equipment

Publication - N.P.C. 118 –Motorised Conveyances

Publication - N.P.C. 119 –Blasting

Publication - N.P.C. 205 –Stationary Sources (Urban) – Classes I and II
Publication - N.P.C. 206 –Sound Levels of Road Traffic
(method to establish "urban hum")

Publication - N.P.C. 216 –Residential Air Conditioners

Publication – N.P.C. 232 – Stationary Sources (Rural) – Class III

- **Publication** - **N.P.C** 232 provides for a specific decibel limit for gun clubs at 70 dba if in operation before Jan 1, 1980 and quarries at 45 dba between 700hrs and 1900hrs, 40 dba between 1900hrs and 700hrs.

Industrial

The present City of Hamilton Noise Control By-law provides for an exemption area from Wellington Street to the former easterly City limits, and from Barton Street north to Hamilton Harbour. The proposed by-law recognizes this area of industrial significance and expands the exemption area easterly to Winona Road, and from Barton Street north to the Queen Elizabeth Way. This exemption area also includes an area all along the south side of Barton Street (Wellington Street to Winona Road). These lands are included in the exemption area because of their proximity to the industrial area. This acoustical environment is so dominated by industrial sounds that these lands actually form part of the industrial area. A map detailing this area of industrial significance has been attached to this report as Schedule 2. Specifically, the qualitative and quantitative regulations within this area identified as of industrial significance do not apply where the source of sound is an industrial use.

A new regulator section has been included into the proposed by-law and effects all areas of the new City of Hamilton. The regulation would propose that all industrial properties outside the area identified as of industrial significance be regulated by a quantitative mechanism only. After some consultation with industry it was concluded that for industry to respond in the best interests of the acoustical environment to which they operate, qualitative noise regulations not apply where the source of the sound is an industrial area (zone).

Commercial/Residential

Another section new to all areas of the City of Hamilton is the proposed regulation that "No person shall emit or cause or permit the emission of sound resulting from the use of, any electronic device or group of connected electronic devices incorporating one or more loudspeakers, or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound outdoors between 11:00 p.m. and 7:00 a.m. of the following day." This section is intended to control outdoor patios and backyard parties without having to rely on either a qualitative or quantitative method.

Special Events

The new City of Hamilton continues to draw more Special Events to the city each year. Therefore, the proposed by-law in Section 11 outlines the noise regulations for organizers and organizations where the event has been issued a Special Events Permit. Section 11 of the proposed by-law states:

Any activity that is lawfully carried on pursuant to a Special Event Permit issued by the City subject to any conditions imposed as a condition of the Special Event Permit and subject to the following conditions (where there is a conflict between a condition imposed under the Special Event Permit and here, the condition imposed under the Special Event Permit shall prevail):

ANALYSIS OF ALTERNATIVES:

Pursuant to the Environmental Protection Act, Councils of local municipalities may, subject to the approval of the Minister pass bylaws,

(a) Regulating or prohibiting the emission of sound or vibration;
(b) Providing for the licensing of persons, equipment and premises, or any of them, with respect to the emission of sound or vibration;
(c) Prescribing maximum permissible levels of sound or vibration that may be emitted; and,
(d) Prescribing procedures for determining the levels of sound or vibration that are emitted.

Further to the Municipal Act Section 129(1) A local municipality may prohibit and regulate with respect to noise, vibration. 2001, c. 25, s. 129 (1).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The enforcement of the proposed new by-law will be done by existing staff resources in the Building and Licensing Division. The Legal Services Division has assisted in the preparation of the By-law.

POLICIES AFFECTING PROPOSAL:

The proposed By-law meets criteria established in Vision 2020 with respect to creating a peaceful environment and for fulfilling the human need for privacy.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The By-law was developed in conjunction and consultation with Legal Services and Community Services.

On February 4, 2002 the Standards and Licensing Section held a public consultation meeting on the proposed Noise By-law. The meeting was advertised in the Hamilton Spectator as well as the surrounding local papers and invited the public to register as a speaker should they wish to comment. There were 15 members of the public that made presentations at the consultation and staff received 3 written submissions. The public provided comments and concerns regarding the Noise By-law and how it would impact a range of aspects, from residential and agricultural to industrial, however, the majority of the comments were residentially orientated.

Industrial Comments

Brian Zeman, an urban planner from MHBC Planning in Kitchener asked staff to include his comments in this report and has provided the following:

"Our firm has been working with your staff over the past year on the development of the Noise By-law and how it affects industries. City Staff was faced with a challenge when preparing the new Noise By-law. The new City of Hamilton now has both urban and rural areas, including both urban and rural industries. In general, the By-law is fair for industry and the residents of the City. The By-law governs industries by using the Ministry of the Environment noise guidelines. This approach provides certainty to both existing and new industry in the City of Hamilton. Its sets a clear and objective test.

This approach is also fair to those residents who live in proximity to industries. The Ministry of Environment noise limits were established to protect the rights of people. This doesn't mean that if industries meet the Ministry of the Environment Noise Guidelines that the noise from the industry will be completely inaudible, but it will be within limits that are considered acceptable by the Province and are designed to ensure ones enjoyment of their property is not taken away. With the modifications discussed this morning, our firm supports the by-law and I congratulate staff on the time and effort they have put into preparing the new By-law."

One speaker objected to the exemption area north of Barton Street.

Residential Comments

A number of speakers spoke on continuing problems regarding vibration from outdoor music and how the resulting sound can travel long distances. Some residents spoke on their own behalf and a solicitor representing a group of 11 families spoke on vibration from the same source of outdoor music. Staff was advised that the residents that he represented supported the draft by-law, hoping that the by-law will control the outdoor music problem, thereby, permitting the residents to enjoy the summer.

Other speakers expressed their concerns regarding specific noise problems which impact their quality of life. These included situations such as music from abutting residential households and bars, fast food drive throughs, race tracks, gun clubs, airports, industrial noises and events at Bay Front Park. Staff confirmed that the proposed By-law will continue to regulate these types of noises.

Agricultural Comments

One speaker (representing the Hamilton Wentworth Federation of Agriculture\Soil Crop Association) spoke of concerns that farmers operate machinery during different hours that may offend a residence and that these machines are used seasonally. Staff advised the speaker that the by-law does regulate noise control devices used to control birds and that staff was aware of the limitations that a Noise By-law may have when the Farm Practices Act is involved.

Commercial Comments

An establishment owner stated the proposed By-law will negatively impact their business, as the by-law prohibits outdoor speakers. The outdoor speakers are an important aspect of the business and weather only permits this use for 3 months a year.

He advised that the establishment was undertaking to install an outdoor speaker system engineered for reduced the noise impact

Special Events

On April 29, 2002 The Special Events Advisory Team held a meeting with event organisers to advise them of the proposed Noise Control By-law relating to special events. The general consensus was that proposed noise regulations were too restrictive when it came to those events that provide concerts as part of the event.

CITY STRATEGIC COMMITMENT:

The proposed Noise Control By-law addresses the physical environment, which affects the health and well being of the community by regulating and controlling those noise intrusions that are a potential threat to a quality of life and peaceful environment. The by-law fulfils the human desire for peace in our environment by providing regulations to control the daily qualitative unwanted sound that may intrude into our neighbourhoods and communities.

The By-law provides for a mechanism that will respond to land uses that are both complimentary and non-complimentary, by setting fair and quantitative limits on sound responding to quality of life issues and further by promoting the City of Hamilton as a desirable place to live.

It will encourage industrial development as the by-law removes qualitative regulations when the source of sound is in an industrial zone. The By-law sets a clear and objective test for industry to meet when setting financial cost dealing with noise abatement of a new development.

The proposed Noise Control By-law while controlling those noise intrusions that are a potential threat to a quality of life and peaceful environment also facilitates the use of cultural institutions, public facilities, parks and open spaces for special events which inspires community pride and sense and place.

RC/PCL/fd

Attachments (3)

Authority:

Bill No.

CITY OF HAMILTON

BY-LAW NO. ____________

To Regulate Noise

WHEREAS the City of Hamilton Act, 1999, Statute of Ontario, 1999 Chap. 14, Sched. C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the following former area municipalities: The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; The Corporation of the Town of Flamborough; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; and The Corporation of the City of Stoney Creek;

AND WHEREAS the City of Hamilton Act, 1999, provides that the By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Environmental Protection Act, R.S.O. 1990, Chapter E.19, Section 178, as amended, authorizes municipalities to pass by-laws, subject to the approval of the Minister,

- regulating or prohibiting the emission of sounds or vibrations;
- providing for the licensing of persons, equipment and premises, or any of them, with respect to the emission of sounds or vibrations;
- prescribing maximum permissible levels of sounds or vibrations that may be emitted;
- prescribing procedures for determining the levels of sounds or vibrations that are emitted;

AND WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210, paragraph 138, as amended, authorizes municipalities to pass by-laws prohibiting or regulating the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants;

AND WHEREAS it is desirable to prohibit or regulate undesired sound and vibration in order to produce a satisfactory acoustic environment wherein the character and magnitude of all sounds or vibrations are compatible with the permitted use of any premises;

AND WHEREAS this By-law shall be referred to as the "Noise By-law".

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

DEFINITIONS

1 (1) In this by-law, all words shall carry their customary meaning except as hereinafter stated.

(2) All definitions contained in **Publication - N.P.C.**-101 - Technical Definitions shall apply to this by-law. Where there is a conflict between the definition contained in **Publication - N.P.C.**-101 - Technical Definitions and the definition contained in Section 1(3) of this by-law, the by-law definition shall be applied.

(3) The following words shall have the following definitions:

(a) **Authorized Emergency Vehicle** includes any ambulance or hearse, any vehicle of the fire department, or of the local, provincial or federal police, any vehicle operated by or for the **City**, the Bell Telephone Company of Canada, the post office, the Hamilton Street Railway Company, armoured cars carrying cash, any public utility company or telegraph company while engaged in the **Construction**, maintenance or repair of a **Highway** or any equipment or facilities herein, and a snow plough or other maintenance vehicles of the Ministry of Transportation and Communications;

(b) **City** means the City of Hamilton;

(c) **Commercial Area** means the following zones or districts in the following by-laws:

(i) Former City of Hamilton Zoning By-law No. 6593

"G", "G-1", "G-2", "G-3", "G-4", "H", "HH", "I", "CR-1", "CR-2", "CR-3" and "U" Districts.

(ii) Former Town of Ancaster Zoning By-law No. 87-57

"C1", "C2", "C3", "C4", "C5", "VA", "HC" and "G" Zones.

(iii) Former Town of Dundas Zoning By-law No. 3581-86

"C.N", "C.SC", "C.A.C", "C.H", "C5" and "C6" Zones.

(iv) Former Town of Flamborough Zoning By-law No. 90-145-Z

"BD", "UC", "NC", "SC", "HC" and "AC" Zones.

(v) Former Township of Glanbrook Zoning By-law No. 464

"C1", "C2", "C3", "C4", "C5" and "C6" Zones.

(vi) Former City of Stoney Creek Zoning By-law No. 3692-92

"LC", "GC", "CS", "CA1", "CA2", "HC", "MUC", "SC1", "SC2" and "RC" Zones.

(d) **Construction** includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and **Highway** building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;

(e) **Construction Equipment** means any equipment or device designed and intended for use in **Construction**, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-**Highway** haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;

(f) **Construction Site** means the area or portion of land used for **Construction** or any other area used for any purpose related to the **Construction** or for any related purpose;

(g) **Conveyance** includes a vehicle and any other device used to transport a person or goods from place to place but does not include any vehicle or device operated only within the premises of a person;

(h) **Council** means the council of the City of Hamilton;

(i) **Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for or used by the public for the passage of vehicles;

(j) **Industrial Area** means the following zones or districts in the following by-laws:

(i) Former City of Hamilton Zoning By-law No. 6593:

"J", "JJ", J3", "K", "KK","M-11","M-12","M-13","M-14" and "M-15" Districts save and except those lands identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.

(ii) Former Town of Ancaster Zoning By-law No. 87-57:

"M1", "M2", "M3", "M4", "M5" and "M6" Zones

(iii) Former Town of Dundas Zoning By-law No. 3581-86:

"I.L", "I.G" and "I.LS" Zones

(iv) Former Town of Flamborough Zoning By-law No. 90-145-Z

"EI","M1", "M2" and "M3" Zones.

(v) Former Township of Glanbrook Zoning By-law No. 464:

"M1", "M2", "M3", "M4", "M5", "M6", "M7" and "M8" Zones.

(vi) Former **City** of Stoney Creek Zoning By-law No. 3692-92:

"MS", "MP", "MT", "MG", "MSP", "MBP", "ME" and "MR" Zones, save and except those lands identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.

(k) **Minister** means the Minister of the Environment;

(l) **Ministry** means the Ministry of the Environment;

(m) **Motor Vehicle** means any motorized conveyance and includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other Motor Vehicle running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act;

(n) **Municipality** means the land within the geographic limit of the City of Hamilton;

(o) **Noise** means unwanted sound;

(p) **Point of Reception** means any point on a premises of a person where sound or vibration originating from other than those premises is received;

(q) **Publication - N.P.C.** means a specified publication of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment as follows, and attached hereto as Schedule 1, which Schedule forms part of this By-law:

Publication – N.P.C. 101 – Technical Definitions

Publication – N.P.C. 102 - Instrumentation

Publication – N.P.C. 103 – Procedures

Publication – N.P.C. 104 – Sound Level Adjustments

Publication – N.P.C. 115 – Construction Equipment

Publication – N.P.C. 119 – Blasting

Publication – N.P.C. 205 – Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban)

Publication – N.P.C. 216 – Residential Air Conditioning Devices

Publication – N.P.C. 206 – Sound Levels of Road Traffic

Publication – N.P.C. 232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

Publication – N.P.C. 233 – Information to be Submitted for Approval of Stationary Sources of Sound

(r) **Quiet Area** means the lands and premises at the following locations:

Henderson General Hospital

Hamilton General Hospital

Chedoke Hospital

St. Joseph's Hospital

McMaster Hospital

St. Peter's Infirmary

Macassa Lodge

(s) **Residential Area** means the following zones or districts in the following by-laws:

(i) City of Hamilton Zoning By-law No. 6593:

"A", "AA", "B", "B1", "B2", "C", "D", "DE", "DE-2", "DE-3", "E", "E-1", "E-2", "E-3", "RT-10", "RT-20" and "RT-30" Districts.

(ii) Town of Ancaster Zoning By-law No. 87-57:

"ER", "R1", "R2", "R3", "R4", "R5", "RM1", "RM2", "RM3", "RM4", "RM5", "RM6" and "RH" Zones.

(iii) Town of Dundas Zoning By-law No. 3581-86:

"R1", "R2", "R3", "R4", "RM1", "RM2", "RM3", "RM4" and "RCC" Zones.

(iv) Town of Flamborough Zoning By-law No. 90-145-Z:

"R1", "R2", "R3", "R4", "R5", "R6", "R7", "R8" and "R9" Zones.

(v) The Corporation of Township of Glanbrook Zoning By-law No. 464:

"ER", "R1", "R2", "R3", "R4", "RM1", "RM2", "RM3", "RM4", "RH" and "RE" Zones.

(vi) City of Stoney Creek Zoning By-law No. 3692-92:

"R1", "R2", "R3", "R4", "R5", "R6", "RM1", "RM2", "RM3", "RM4" and "RM5" Zones.

(t) **Source of Sound** means an activity, matter, thing, or tangible personal property or real property, from which sound or vibration is emitted;

(u) **Stationary Source** means a **Source of Sound** which does not normally move from place to place unless the dominant **Source** on the premises is **Construction Equipment** or a **Conveyance**;

GENERAL PROHIBITIONS

2 No person shall emit or cause or permit the emission of sound likely to disturb another between 9:00 pm and 7:00 am of the following day.

3 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception**:

(1) The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.

(2) Racing of any **Motor Vehicle** other than in a racing event regulated by law.

(3) The operation of a **Motor Vehicle** in such a way that the tires squeal.

(4) The operation of any combustion engine without an effective exhaust-muffling device in good working order and in constant operation.

(5) The operation of a **Motor Vehicle** or a **Motor Vehicle** with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.

(6) The operation of an engine or motor in, or on, any **Motor Vehicle** or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a **Residential Area** or a **Quiet Area**, unless,

(a) the vehicle is in an enclosed structure constructed so as to effectively prevent excessive **Noise** emission; or,

(b) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the **Motor Vehicle** in which case such recommended period shall not be exceeded; or,

(c) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms or refuse compactors and heat exchange systems; or,

(d) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; or

(e) prevailing low temperatures make longer idling periods necessary, immediately after starting the motor or engine; or,

(f) the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburettor or the like, when such work is performed other than for profit.

(7) The operation of a **Motor Vehicle** horn or other warning device except where required or authorized by law or in accordance with good safety practices.

(8) The operation of any item of **Construction Equipment** in a **Quiet Area** without effective muffling devices in good working order and in constant operation.

PROHIBITIONS BY TIME AND PLACE

4 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Area**s (at any time) or in **Residential Area**s (at any time):

(1) Barking dog or any other sound made by a dog.

5 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Area**s (at any time) or in **Residential Area**s (between 9:00 pm – 7:00 am):

(1) The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by-law or in accordance with good safety practices.

(2) The operation of a combustion engine which is used or is intended for use in a toy or a model or replica of a larger device, which model or replica has

function other than amusement and which is not a **Conveyance.**

(3) The operation of any powered rail car including but not limited to refrigeration cars, locomotives or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by The Canada Railway Act.

(4) The operation of any **Motor Vehicle** other than on a **Highway** or other place intended for its operation.

(5) All selling or advertising by shouting out-cry or amplified sound.

(6) The venting, release or pressure relief of air, steam, or other gaseous material, product or compound from any autoclave, boiler, pressure vessel, pipe, valve, machine, device or system.

(7) The operation of a power assisted hang glider or a parafoil.

6 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Area**s (at any time) or in **Residential Area**s (between 11:00 pm – 7:00 am):

(1) The detonation of fireworks or explosive devices.

7 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Area**s (7:00 pm – 7:00 am) or **Residential Area**s (9:00 pm – 7:00 am):

(1) The operation of a commercial car wash with air drying equipment.

(2) The operation of **Construction Equipment** in connection with **Construction.**

(3) The operation of any powered or non-powered tool for purposes other than snow removal.

8 No person shall emit or cause or permit the emission of sound resulting from the following which sound is clearly audible at a **Point of Reception** located in **Quiet Area**s (between 9:00 pm – 7:00 am) or in **Residential Area**s (between 11:00 pm – 7:00 am):

(1) Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, produce, materials, or refuse whatsoever.

9 No person shall emit or cause or permit the emission of sound resulting from the operation of a sound emitting pest control device between dusk and dawn.

10 No person shall emit or cause or permit the emission of sound resulting from the use of, any electronic device or group of connected electronic devices incorporating one or more loudspeakers, or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound outdoors between 11:00pm and 7:00am of the following day.

MEASURED NOISE PROHIBITIONS

11 No person shall emit or cause or permit the emission of sound resulting from:

(1) a **Stationary Source** such that the level of resultant sound at a **Point of Reception** exceeds the applicable sound level limit prescribed in:

(a) **Publication - N.P.C.** 205 – Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban);

(b) **Publication – N.P.C.** 119 – Blasting; or

(c) **Publication – N.P.C.** 216 – Residential Air Conditioning Devices.

(d) **Publication - N.P.C.** 232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural);

(2) **Construction Equipment** such that the level of resultant sound at a **Point of Reception** exceeds the applicable sound level limit prescribed in **Publication – N.P.C.** 115 – Construction Equipment.

EXEMPTIONS

12 Notwithstanding any other provision of this by-law, this by-law shall not apply to a person who emits or causes or permits the emission of sound in connection with:

(1) Any activity carried on at Ivor Wynne Stadium.

(2) Any activity that is lawfully carried on pursuant to a Special Event Permit issued by the **City** subject to any conditions imposed as a condition of the Special Event Permit and subject to the following conditions (where there is a conflict between a condition imposed under the Special Event Permit and here, the condition imposed under the Special Event Permit shall prevail):

(a) A breach of any of the conditions imposed by this Section shall nullify the exemption granted by this Section;

(b) A Municipal Law Enforcement Officer shall monitor the activity, at the expense of the Special Event Permit Holder, if deemed appropriate by the Manager if Licensing and Standards, or his/her designate;

(c) Any sound created by the activity shall not begin before 11:00 am and shall end at 12:00 midnight on all days of the week, except Sunday , when the sound shall not begin before 12:00 noon and shall end at 10:00 pm; and

(d) Any sound created by the activity shall not exceed 90 dba to be determined 10 metres from the **Source of Sound**.

(3) Any activity, where the person has been granted an exemption by the **City** under Section 15 subject to any conditions imposed as a condition of the exemption and subject to the following conditions:

(a) A breach of any of the conditions imposed by this Section shall nullify the exemption granted by this Section.

(4) Any of the following activities:

(a) Operation of **Authorized Emergency Vehicle**s;

(b) Undertaking emergency measures for the immediate health, safety or welfare of any person or the preservation or restoration of property;

(c) Operation of machines or equipment by or on behalf of the City for emergency purposes;

(d) Operation of bells, tones or whistles utilized as traffic control devices including those at traffic signal locations and railway crossings;

(e) Operation of snow removal equipment while in the operation of snow removal.

(f) A normal farm practice carried on as part of an agricultural operation under the Farming and Food Productions Protection Act, 1998, S.O. 1998, c-1.

(g) Any activity that is integral to the operations of an airport as such.

13 Notwithstanding any other provision of this by-law, Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of this by-law shall not apply where the **Source of Sound** is in an Industrial Area.

14 Notwithstanding any other provision of this by-law, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this by-law shall not apply where:

(1) the **Source of Sound** is an industrial use within the area identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law; and

(2) the **Point of Reception** is within the area identified on the Map attached hereto as Schedule 2, which Schedule forms part of this By-law.

15 (1) The **Council** may, upon application by any person,

(a) exempt the applicant; or

(b) exempt the applicant on such terms and conditions as it may determine; or

(c) refuse to grant any exemption,

from any provision of this by-law.

(2) An exemption shall specify the period of time during which the exemption is in effect and may be made upon such terms and conditions as **Council** requires.

(3) An application for an exemption under this Section shall be made in the form required by the Manager of Building and Licencing or his/her designate and shall pay any fee required by law.

ENFORCEMENT AND ADMINISTRATION

16 **Council** may appoint such Municipal Law Enforcement Officers as are necessary for the purpose of enforcing this by-law.

17 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalty specified by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

18 The following By-laws are hereby repealed: The Corporation of the City of Hamilton By-law No. 79-292 and all amendments thereto, Town of Ancaster By-law No. 89-109 and all amendments thereto, Town of Dundas By-law No.'s 3080-79 and 3055-78 and all amendments thereto, Town of Flamborough By-law No. 89-164-N and all amendments thereto, the Corporation of the Township of Glanbrook By-law No. 490-93 and all amendments thereto and the Corporation of the City of Stoney Creek By-law No. 676-78 and all amendments thereto.

19 Administration of this by-law shall be by the staff of the Building and Licensing Division of the Planning and Development Department of the City.

20 This By-law comes into force on the date of its approval by the **Minister.**

PASSED AND ENACTED this day of , 2002.

________________________ Clerk

________________________ Mayor

Approved by the Minister of Environment as required by the Environmental Protection Act R.S.O. 1990, c - E. 19., this day of , 2002.

________________________ Minister of Environment

SCHEDULE “1”

To By-law No. _____________

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Technical Definitions

Publication NPC-101

Technical Definitions

1. Technical Terminology and Standards

The following terminology and standards shall be used for the purposes of any Noise Control By-Law enacted pursuant to The Environmental Protection Act and all Publications of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment. The definition of any technical word used in such By-Law or this or any such Publication and not herein defined shall be the definition appearing in the applicable Publication of the Canadian Standards Association (CSA), the American National Standards Institute (ANSI), the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the Society of Automotive Engineers (SAE), or the Machinery and Equipment Manufacturers Association of Canada (MEMAC):

(1) Acoustic Calibrator

An "Acoustic Calibrator" is an electro-mechanical or mechanical device intended for the calibration of sound level meters and meeting the specifications of Publication NPC-102 - Instrumentation, for Acoustic Calibrators.

(2) A-Weighting

"A-weighting" is the frequency weighting characteristic as specified in IEC 123 or IEC 179 and intended to approximate the relative sensitivity of the normal human ear to different frequencies (pitches) of sound.

(3) A-weighted Sound Pressure Level

The "A-weighted sound pressure level" is the sound pressure level modified by application of the A-weighting. It is measured in decibels, A-weighted, and denoted dBA.

(4) Beating

"Beating" is the characteristic of a sound which has an audible cyclically varying sound level, caused by the interaction of two sounds of almost the same frequency.

(5) Buzzing Sounds

A "buzzing sound" is a sound which is characterized by the presence of a large number of related discrete harmonics in its frequency spectrum. These harmonics together with the fundamental frequency produce a sound which subjectively is termed a "buzz". Examples are sounds from a buzzer or a chain saw.

(6) Decibel

The "decibel" is a dimensionless measure of sound level or sound pressure level; see sound pressure level.

(7) Effective Sound Pressure

The "effective sound pressure" at a point is the root-mean square value of the instantaneous sound pressure, over a time interval, at the point under consideration as detected with a sound level meter meeting the requirements of Publication NPC-102 - Instrumentation.

(8) Equivalent Sound Level

The "equivalent sound level" sometimes denoted L_{eq}, is the value of the constant sound level which would result in exposure to the same total A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval. It is measured in dBA.

The mathematical definition of equivalent sound level (L_{eq}) for an interval defined as occupying the period between two points in time t_1 and t_2 is:

$$L_{eq} = 10 \log_{10} \frac{1}{t_2 - t_1} \int_{t_1}^{t_2} \frac{p^2(t)}{p_r^2} \, dt$$

where $p(t)$ is the time varying A-weighted sound pressure and p_r is the reference pressure of 20 µPa.

(9) Fast Response

"Fast response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(10) Frequency

The "frequency" of a periodic quantity is the number of times that the quantity repeats itself in a unit interval of time. The unit of measurement is hertz (Hz) which is the same as cycles per second.

(11) General Purpose Sound Level Meter

A "General Purpose Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for General Purpose Sound Level Meters.

(12) Impulse Response

"Impulse response" is a dynamic characteristic setting of a sound level meter meeting the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(13) Impulsive Sound

An "impulsive sound" is a single pressure pulse or a single burst of pressure pulses, as defined by IEC 179A, First supplement to IEC 179, Sections 3.1 and 3.2.

(14) Impulse Sound Level

The "impulse sound level" is the sound level of an impulsive sound as measured with an Impulse Sound Level Meter set to impulse response. It is measured in A-weighted decibels, denoted dBAI.

(15) Impulse Sound Level Meter

An "Impulse Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(16) Integrating Sound Level Meter

An "Integrating Sound Level Meter" is a sound level meter which is capable of being used to derive the equivalent sound level (L_{eq}) and which meets the specifications of Publication NPC-102 - Instrumentation, for Type B Integrating Sound Level Meters.

(17) Logarithmic Mean Impulse Sound Level

The "Logarithmic Mean Impulse Sound Level", sometimes denoted L_{LM}, of N impulsive sounds, is ten times the logarithm to the base 10 of the arithmetic mean of ten to the power of one tenth the impulse sound level of each impulsive sound.

Algebraically, it can be written as:

$$L_{LM} = 10 \log_{10} \left[\frac{1}{N} \left(10^{dBAI_1/10} + 10^{dBAI_2/10} \ldots + 10^{dBAI_N/10} \right) \right]$$

where, $dBAI_1$, $dBAI_2$, ...$dBAI_N$, are the N impulse sound levels.

(18) Overpressure

The "overpressure" at a point due to an acoustic disturbance is the instantaneous difference at that point between the peak pressure during the disturbance and the ambient atmospheric pressure. The unit of measurement is the pascal. One pascal, abbreviated Pa, is the same as one newton per square metre, abbreviated N/m^2.

(19) Overpressure Level

The "overpressure level" is twenty times the logarithm to the base 10 of the ratio of the peak pressure to the reference pressure of 20 μPa.

(20) Peak Particle Velocity

The "peak particle velocity" is the maximum instantaneous velocity experienced by the particles of a medium when set into transient vibratory motion. This can be derived as the magnitude of the vector sum of three orthogonal components and is measured in cm/s.

(21) Peak Pressure Level Detector

A "Peak Pressure Level Detector" is a device capable of measuring peak pressure or pressure level perturbations in air and which meets the specifications of Publication NPC-102 - Instrumentation, for Peak Pressure Level Detectors.

(22) Percentile Sound Level

The "x percentile sound level", designated L_x, is the sound level exceeded x percent of a specified time period. It is measured in dBA.

(23) Quasi-Steady Impulsive Sound

"Quasi-Steady Impulsive Sound" is a sequence of impulsive sounds emitted from the same source, having a time interval of less than 0.5 s between successive impulsive sounds.

(24) Slow Response

"Slow response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(25) Sound

"Sound" is an oscillation in pressure, stress, particle displacement or particle velocity, in a medium with internal forces (e.g. elastic, viscous), or the superposition of such propagated oscillations, which may cause an auditory sensation.

6.

(26) Sound Level

"Sound level" is the A-weighted sound pressure level.

(27) Sound Level Meter

A "sound level meter" is an instrument which is sensitive to and calibrated for the measurement of sound.

(28) Sound Pressure

The "sound pressure" is the instantaneous difference between the actual pressure and the average or barometric pressure at a given location. The unit of measurement is the micropascal (μPa) which is the same as a micronewton per square metre ($\mu N/m^2$).

(29) Sound Pressure Level

The "sound pressure level" is twenty times the logarithm to the base 10 of the ratio of the effective pressure (p) of a sound to the reference pressure (p_r) of 20 μPa. Thus the sound pressure level in dB = $20 \log_{10} \frac{p}{p_r}$.

(30) Tonality

A "tone" or a "tonal sound" is any sound which can be distinctly identified through the sensation of pitch.

(31) Vibration

"Vibration" is a temporal and spatial oscillation of displacement, velocity or acceleration in a solid medium.

(32) Vibration Velocity Detector

A "Vibration Velocity Detector" is a device which is capable of measuring vibration velocity and which meets the specifications of Publication NPC-102 - Instrumentation, for Vibration Velocity Detectors.

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Publication – N.P.C. 102

Instrumentation

Publication NPC-102

Instrumentation

1. Scope

This Publication sets out minimum specifications for equipment used for the measurement of sound and vibration. For most of the specifications the International Electrotechnical Commission (IEC) recommended standards 123 (First edition 1961), 179 (Second edition 1973) and 179A (First supplement to IEC 179, published 1973) have been adopted. In some cases, these standards are amended or augmented for greater precision.

TABLE 102-1

NPC-102 Section	Type of Instrument	Application
3	General Purpose Sound Level Meter	Non-impulsive sounds
4	Impulse Sound Level Meter	Impulsive sounds
5	Peak Pressure Level Detector	Peak pressure perturbations
6	Type B Integrating Sound Level Meter	Varying sounds of low crest factor
7	Type A Integrating Sound Level Meter	Varying sounds of high crest factor
8	Vibration Velocity Detector	Peak vibration velocity in solids
9	Acoustic Calibrator	Calibration of sound level meters

2. Technical Definitions

The technical terms used in this Publication are defined in the specifications themselves or in Publication NPC-101 - Technical Definitions.

9.

3. General Purpose Sound Level Meter

(1) Purpose

A General Purpose Sound Level Meter is a sound level meter which is intended to be used for the measurement of non-impulsive sounds, without significant A-weighted acoustic energy above 2000 Hz.

(2) Specifications

A sound level meter which meets the following specifications is a General Purpose Sound Level Meter:

(a) the sound level meter, including a microphone equipped with a windscreen shall meet the specifications of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone of the sound level meter shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of ±30° instead of ±90°, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;

(b) the sound level meter shall incorporate A-weighting, which is specified in IEC 123 as optional;

(c) the sound level meter shall have a minimum usable range of sensitivity of from 40 dBA to 100 dBA and it shall read to an accuracy of ±1.0 dB over that range;

(d) a windscreen shall be installed on the microphone and shall not affect by more than 1 dB the tolerance prescribed in clauses (a) and (c);

(e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.

4. Impulse Sound Level Meter

(1) Purpose

An Impulse Sound Level Meter is a sound level meter which is intended to be used for the measurement of any sounds, including sounds for which a General Purpose Sound Level Meter may be used.

(2) Specifications

A sound level meter which meets the following specifications is an Impulse Sound Level Meter:

(a) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of a General Purpose Sound Level Meter;

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(b) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of IEC 179 and IEC 179A, supplement to IEC 179, including the optional characteristics mentioned in subclause 4.5 of IEC 179A;

(c) the sound level meter shall incorporate A-weighting as specified in IEC 179.

5. Peak Pressure Level Detector

(1) Purpose

A Peak Pressure Level Detector is a sound level meter which is intended to be used for the measurement of peak pressure perturbations in air. The value indicated by this device is not an average of the pressure level perturbations.

(2) Specifications

A sound level meter which meets the following specifications is a Peak Pressure Level Detector (the features of this device are incorporated in an Impulse Sound Level Meter as specified in section 4 above):

(a) the microphone of the sound level meter, when equipped with a windscreen, shall perform within a tolerance of ±1 dB throughout the frequency range of from 5 Hz to 31.5 Hz in the circumstances and conditions for use set out in Table 1 of IEC 179;

(b) the sound level meter without the microphone shall be capable of providing linear response as specified in subclause 4.5 of IEC 179, within a tolerance of ±1 dB throughout the frequency range of from 5 Hz to 15 kHz;

(c) the sound level meter shall incorporate the optional characteristics specified in subclause 4.5 of IEC 179A;

(d) the sound level meter shall meet the specifications set out in IEC 179 clause 3, subclauses 4.1, 4.2, 4.4, 4.5, 4.7, 4.8, clause 5, subclauses 6.2, 6.3, 6.4, 6.5, 6.8, 6.9, 7.1 through 7.9, 7.11, 8.1, 8.2, 8.3, 8.6 through 8.9, and the appropriate specifications of clause 10.

6. Type B Integrating Sound Level Meter

(1) Purpose

(a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.

(b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.

(c) Either a Type A or Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study

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is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type B Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ±1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 40 dB with test signals having a crest factor (as defined in IEC 179A) up to 3. An operator-activated switch is included to inhibit the integration function alone and, if the system includes an elapsed-time clock, to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type B Integrating Sound Level Meter:

(a) the instrument will generally be a combination of microphone, amplifier, A-weighting network, computation circuit to obtain the integral of the mean square A-weighted pressure, display and a means of inhibiting the integration, but may vary from the above provided that it performs the same functions within the tolerances set out below;

(b) the instrument may include computational circuitry to calculate and display the equivalent sound level directly;

(c) the microphone of the instrument shall meet the specifications of clause 5 of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of $\pm 30^\circ$ instead of $\pm 90^\circ$, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;

(d) a windscreen shall be installed on the microphone during operation and shall not affect by more than 1 dB the tolerance prescribed in clause (c);

(e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.

(f) the A-weighting network shall meet the specifications of Table II and Figure I of IEC 123;

(g) the amplifier shall meet the specifications of subclauses 7.2, 7.3 and 7.11 of IEC 123;

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(b) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of IEC 179 and IEC 179A, supplement to IEC 179, including the optional characteristics mentioned in subclause 4.5 of IEC 179A;

(c) the sound level meter shall incorporate A-weighting as specified in IEC 179.

5. Peak Pressure Level Detector

(1) Purpose

A Peak Pressure Level Detector is a sound level meter which is intended to be used for the measurement of peak pressure perturbations in air. The value indicated by this device is not an average of the pressure level perturbations.

(2) Specifications

A sound level meter which meets the following specifications is a Peak Pressure Level Detector (the features of this device are incorporated in an Impulse Sound Level Meter as specified in section 4 above):

(a) the microphone of the sound level meter, when equipped with a windscreen, shall perform within a tolerance of ±1 dB throughout the frequency range of from 5 Hz to 31.5 Hz in the circumstances and conditions for use set out in Table 1 of IEC 179;

(b) the sound level meter without the microphone shall be capable of providing linear response as specified in subclause 4.5 of IEC 179, within a tolerance of ±1 dB throughout the frequency range of from 5 Hz to 15 kHz;

(c) the sound level meter shall incorporate the optional characteristics specified in subclause 4.5 of IEC 179A;

(d) the sound level meter shall meet the specifications set out in IEC 179 clause 3, subclauses 4.1, 4.2, 4.4, 4.5, 4.7, 4.8, clause 5, subclauses 6.2, 6.3, 6.4, 6.5, 6.8, 6.9, 7.1 through 7.9, 7.11, 8.1, 8.2, 8.3, 8.6 through 8.9, and the appropriate specifications of clause 10.

6. Type B Integrating Sound Level Meter

(1) Purpose

(a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.

(b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.

(c) Either a Type A or Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study

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is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type B Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ±1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 40 dB with test signals having a crest factor (as defined in IEC 179A) up to 3. An operator-activated switch is included to inhibit the integration function alone and, if the system includes an elapsed-time clock, to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type B Integrating Sound Level Meter:

(a) the instrument will generally be a combination of microphone, amplifier, A-weighting network, computation circuit to obtain the integral of the mean square A-weighted pressure, display and a means of inhibiting the integration, but may vary from the above provided that it performs the same functions within the tolerances set out below;

(b) the instrument may include computational circuitry to calculate and display the equivalent sound level directly;

(c) the microphone of the instrument shall meet the specifications of clause 5 of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of ± 30° instead of ± 90°, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;

(d) a windscreen shall be installed on the microphone during operation and shall not affect by more than 1 dB the tolerance prescribed in clause (c);

(e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.

(f) the A-weighting network shall meet the specifications of Table II and Figure I of IEC 123;

(g) the amplifier shall meet the specifications of subclauses 7.2, 7.3 and 7.11 of IEC 123;

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(h) for each sensitivity setting of the instrument the amplifier shall have a power handling capacity at least 10 dB greater than the maximum sound level specified for that sensitivity setting;

(i) if the computation circuit is of the sampling (digital) type, when operating in conjunction with the microphone, windscreen, A-weighting network and amplifier, it shall generate a signal proportional to the mean square A-weighted pressure with a 1 ±0.25 s exponential averaging time constant;

(j) the computation circuit shall integrate the mean square A-weighted pressure and shall be capable of doing so on each sensitivity setting for a minimum of 6 minutes at the maximum sound level specified for that sensitivity setting;

(k) if the computation circuit is not capable of meeting the specification of clause (j) with the reference therein to "6 minutes" changed to "60 minutes", then the device shall be provided with a means to indicate to the operator when the integration capability has been exceeded;

(l) if the computational circuit is of the sampling (digital) type, sampling shall take place at least twice per second;

(m) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ±1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 3 (crest factor up to 3);

(n) an operator-activated switch shall be provided to inhibit integration or, if the instrument has an internal elapsed time clock, to inhibit both integration and accumulation of time;

(o) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 50 dBA to 90 dBA and the manufacturer shall specify the usable dynamic range;

(p) the instrument may be provided with more than one sensitivity setting and the manufacturer shall specify the minimum and maximum input sound level for each sensitivity setting;

(q) if the maximum sound level specified for any sensitivity setting is less than 100 dBA, the system shall include a means of indicating to the operator that the maximum input sound level for that sensitivity setting has been exceeded and such indication shall be maintained until cancelled by the operator;

(r) the display shall indicate either,

  (i) an output proportional to the integrated mean square A-weighted pressure, or

  (ii) the integrated mean square A-weighted pressure divided by the duration of the period of time for which the equivalent sound level is to be determined, or

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(iii) the equivalent sound level for the period of time for which the equivalent sound level is to be determined;

(s) it shall be possible to read from the display or to calculate from the reading of the display, the equivalent sound level to a resolution of ±1 dB over the usable dynamic range of the instrument for integration times from 20 minutes to 60 minutes;

(t) if the indication of the display is as described in subclause (ii) or (iii) of clause (r), the instrument shall include an elapsed-time clock;

(u) the complete instrument shall follow the recommendations and meet the specifications of subclauses 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of IEC 123; and

(v) the instrument shall include a means of determining whether the battery of the instrument if any, has sufficient life to permit proper operation for a period of at least one hour.

7. Type A Integrating Sound Level Meter

(1) Purpose

(a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.

(b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.

(c) Either a Type A or a Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, Sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type A Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ±1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 80 dB with test signals having a crest factor (as defined in IEC 179A) up to 5. An operator activated switch is included to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type A Integrating Sound Level Meter:

(a) the sound level meter shall meet the specifications of a Type B Integrating Sound Level Meter;

(b) the instrument shall be provided with an internal elapsed-time clock;

(c) for each sensitivity setting of the instrument, the amplifer shall have a power handling capacity at least 14 dB greater than the maximum sound level specified for that sensitivity setting;

(d) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ±1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 5 (Crest Factor up to 5); and

(e) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 40 dBA to 120 dBA.

8. Vibration Velocity Detector

(1) Purpose

A Vibration Velocity Detector is a device intended to be used for the measurement of the peak particle velocity of a solid surface.

(2) Specifications

A device which meets the following specifications is a Vibration Velocity Detector:

(a) the device shall include either a transducer which responds to the total vibration vector or three transducers which have their axes of maximum sensitivity mutually orthogonal $\pm 1^{\circ}$;

(b) where three transducers are used to measure three mutually orthogonal components of vibration, the response of any one of the transducers to vibration in the plane normal to its axis of maximum sensitivity shall be less than 10% of its response to the same vibration along its axis of maximum sensitivity;

(c) the output of the device shall be proportional to the velocity of the surface on which the transducer is, or the transducers are, mounted and the output of the device shall be in such form that the device indicates, or can be used to calculate, the peak particle velocity in the frequency range of from 5 Hz to 500 Hz over a range of peak particle velocity of from 0.25 cm/s to 10 cm/s with a tolerance of ±10%; and

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(c) it shall be possible to field-calibrate the device with an accuracy of ±5% using either a reference electrical signal in series with the equivalent transducer impedance or a reference vibration source.

9. Acoustic Calibrator

(1) Purpose

An Acoustic Calibrator is an electro-mechanical or mechanical device which produces sound of a known frequency and which, when coupled to a sound level meter, produces a predictable response in the sound level meter if the sound level meter is operating properly at the calibration frequency.

(2) Specifications

A device, capable of producing sound, which meets the following specifications is an Acoustic Calibrator:

(a) the device shall be capable of being physically attached to a sound level meter in such a way that the device and the sound level meter are "acoustically coupled", that is, sound from the device is transmitted through the air by way of a chamber formed by the attachment of the device to the microphone of the sound level meter;

(b) the device shall produce sound of a stated frequency, within a frequency tolerance of ±5%;

(c) the manufacturer of the device shall provide with the device, any data required in order to determine the sound level reading which should be indicated on the sound level meter when calibrated for those microphone and sound level meter types with which the manufacturer recommends the device be used. Where additional accessories must be used to provide this sound level reading, the manufacturer shall state that they must be used;

(d) the maximum tolerance in the sound pressure level generated by the device when coupled to the microphone shall apply over an atmospheric pressure range of 87 kPa to 107 kPa, and shall be ±0.5 dB over the temperature range of from $0^{\circ}C$ to $40^{\circ}C$ and ±1.0 dB over the temperature range of from $-10^{\circ}C$ to $50^{\circ}C$;

(e) if the device is battery powered, means for checking the battery condition shall be included with the device;

(f) the following data shall be provided with the device by the manufacturer,

(i) the nominal sound pressure level produced,

(ii) the nominal frequency at which the device operates,

(iii) the ranges of temperature and atmospheric pressure over which the device is intended to operate, and the applicable overall sound pressure level tolerance for these ranges.

TABLE 102-2

Permissible Tolerances on Microphone Sensitivity
Over an Angle of ± 30°

Frequency Hz	Permissible Tolerances dB	
	A*	B**
31.5 - 500	±1	±1
1000	±1	±1
2000	±2	+ 1 - 2
4000	±4	+ 1 - 4
8000	±10	+ 1 - 10

* COLUMN A: The microphone is mounted on the sound level meter.

** COLUMN B: The microphone is physically separated from the sound level meter but electrically connected thereto.

TABLE 102-3

Maximum Wind Induced Sound Level Indication Using A-weighting and Slow Response (where available)

Wind Speed	dBA
15 km/h	41
20 km/h	48
25 km/h	53

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Procedures

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Procedures

1. Scope

This Publication comprises the various measurement procedures to be used in connection with other Publications which provide limits or standards for sound or vibration. Several of the procedures adopted are those of nationally or internationally recognized agencies. Table 103-1 lists the measurement procedures which are included in this Publication.

TABLE 103-1

NPC-103 Section	Type of Measurement	Procedure
3	Steady or impulsive sound	Ministry
4	Varying sound	Ministry
5	Sound and vibration from blasting	Ministry
6	Powered mobile construction equipment	SAE J88a
7	Pneumatic equipment	MEMAC
8	Small engines	SAE J1046
9	Trucks with governed diesel engines	CSA Z107.22-M

2. Technical Definitions

The technical terms used in a procedure shall have the meaning given either in that procedure or in Publication NPC-101 - Technical Definitions.

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3. Procedure for Measurement of Steady or Impulsive Sound

(1) (a) Classification

For the purposes of this procedure sounds can conveniently be placed in four mutually exclusive categories as follows:

(i) impulsive sounds, other than Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from gunshots, certain explosive pest control devices and certain industrial metal working operations (e.g. forging, hammering, punching, stamping, cutting, forming and moulding);

(ii) Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from pavement breakers, riveting guns, ineffectively muffled internal combustion engines or ineffectively muffled air compressors;

(iii) buzzing sounds, such as, but not limited to, the sounds from positive displacement blowers, chain saws, small combustion engines and concrete finishers;

(iv) all other sounds.

(b) Application

This procedure applies to measurements at a point of reception of:

(i) sound of a type mentioned in category (i) or (ii) of clause (a); and

(ii) sound of a type mentioned in categories (iii) or (iv) of clause (a), which is always higher than the permissible level or which, when the sound is present, does not vary in level over a range of more than 6 dB during the period of observation.

(2) Instrumentation

(a) Sound Level Meter

(i) An Impulse Sound Level Meter shall be used for the measurement of sound in category (i), (ii) or (iii) of clause 3(1) (a).

(ii) A General Purpose Sound Level Meter shall be used for the measurement of sound in category (iv) of clause 3(1) (a).
NOTE: An Integrating Sound Level Meter may be used for the measurement of sound in category (iv) of clause 3(1) (a), but the procedure set out in section 4 - Procedure for Measurement of Varying Sound must be used.

(b) Calibrator

An Acoustic Calibrator shall be used.

(c) Windscreen

A windscreen shall be used in all outdoor measurements.

(3) Measurement Location

For sound transmitted solely through air, the measurement location shall be one or more of the following points of reception:

(a) a location out-of-doors where a person may be exposed to the sound; or

(b) the plane of an exterior door or window of a room in which a person may be exposed to the sound, where the door or window is open.

(4) Use of Instrumentation

(a) Battery Check

If the sound level meter is battery powered the condition of the battery shall be checked after the meter has been allowed to warm up and stabilize. The battery condition shall be rechecked at least once per hour during a series of measurements and at the conclusion of such measurements. The meter shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(b) Calibration

The sound level meter shall be calibrated after the meter has been allowed to warm up and stabilize, at least once per hour during a series of measurements and at the conclusion of such measurements.

(c) Sound Level Meter Settings

Measurements shall be taken using the following response settings:

(i) Impulse Response (dBAI)

The impulse response and A-weighting shall be used for impulsive sound in category (i) of clause 3 (1)(a). An 'impulse hold' facility may be used if available on the meter.

(ii) Slow Response (dBA)

The slow response and A-weighting shall be used for sound in categories (ii), (iii) or (iv) of clause 3 (1)(a).

(d) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of clause 3(3)(b) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

For the case of clause 3(3)(b) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Measurement - Slow Response

(i) Readings Taken

For sound in categories (ii), (iii) or (iv) of clause 3 (1)(a), a minimum of three observations with a minimum observation time of 15 s each shall be made. The observed average reading for each of the observations shall be noted as well as the minimum and the maximum of the range of sound levels during each observation period. If the difference between any two observed average readings is greater than 3 dB, a minimum of six observations shall be made. For the purpose of adjustments for intermittency the duration of the sound in any one hour shall be noted.

(ii) Readings Reported

The arithmetic mean of the observed average readings shall be reported, rounded to the nearest decibel. Adjustments for intermittence and quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments, and the result shall be reported. The result is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which the readings were taken pursuant to subclause (i).

(iii) Wide Variation of Sound Levels

If, in making observations pursuant to subclause (i), there is a difference of more than 6 dB between the lowest and highest values of the observed ranges of sound levels, this procedure shall not be used unless the lower limit of each such range is above the maximum permissible level. Instead, the procedure set out in Section 4 - Procedure for Measurement of Varying Sound at a point of reception, shall be used.

(f) Measurement - Impulse Response - Frequent Impulses

(i) Readings Taken

For sound in category (i) of clause 3 (1) (a) not less than 20 impulses shall be measured within a continuous period of 20 minutes and each measurement taken shall be reported.

(ii) Extension of Time

Where a minimum of 20 impulses cannot be measured within a continuous period of 20 minutes pursuant to subclause (i) the time period may be extended to 2 hours if an impulse occurred in each of the four consecutive periods of five minutes each during the initial 20 minute measurement period.

(iii) Level Reported

The Logarithmic Mean Impulse Sound Level (L_{LM}) of the 20 or more measurements shall be calculated and reported to the nearest decibel. This Logarithmic Mean Impulse Sound Level is a valid and effective sound level for any one hour period during which readings were taken pursuant to subclauses (i) and (ii).

(g) Measurement - Impulse Response - Single Event

Readings Taken and Reported

For impulsive sounds in category (i) of clause 3(1)(a), that occur as single, seemingly independent events not normally measurable using the procedure set out in clause (f) for frequent impulses, each impulse shall be independently measured and each impulse sound level reported to the nearest decibel.

(h) Variation in Calibration

Measurements shall not be reported if the sound level meter calibration has changed more than 0.5 dB from the previous calibration.

(i) Weather Conditions

(i) Wind

Measurements shall not be taken unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102 - Instrumentation, particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. Normally only the lower temperature limit is significant.

(5) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used. (Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

- (i) Location and description of sound sources.
- (ii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.
- (iii) Physical and topographical description of the ground surface.
- (iv) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in °C, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

- (i) type, model and serial number of sound level meter;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

- (i) the location of the microphone, using a sketch if necessary;
- (ii) measurements or readings obtained, preferably listed in tabular form, referencing location on a sketch or map, time periods involved, and relevant data required for making calculations;
- (iii) adjustments made for quality of sound or intermittence;
- (iv) details of any calculations;
- (v) comparison with applicable sound level limits, standards or guidelines.

4. Procedure for Measurement of Varying Sound

(1) (a) Classification

For the purposes of this procedure sounds can conveniently be placed in four mutually exclusive categories as follows:

(i) impulsive sounds, other than Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from gunshots, certain explosive pest control devices and certain industrial metal working operations (e.g. forging, hammering, punching, stamping, cutting, forming and moulding);

(ii) Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from pavement breakers, riveting guns, ineffectively muffled internal combustion engines or ineffectively muffled air compressors;

(iii) buzzing sounds, such as, but not limited to the sound from positive displacement blowers, chain saws, small combustion engines and concrete finishers;

(iv) all other sounds.

(b) Application

This procedure applies to measurements at a point of reception of continuous or intermittent sound mentioned in category (ii), (iii) or (iv) of clause (a).

(2) Instrumentation

(a) Integrating Sound Level Meter

An Integrating Sound Level Meter shall be used which is appropriate for the sound to be measured:

(i) Either a Type A or Type B Integrating Sound Level Meter may be used for the measurement of sound in category (iv) of clause 4(1)(a);

(ii) A Type A Integrating Sound Level Meter shall be used for the measurement of sound in categories (ii) or (iii) of clause 4(1)(a).

(b) Calibrator

An Acoustic Calibrator shall be used.

(c) Windscreen

A windscreen shall be used in all outdoor measurements.

(3) Measurement Location

(a) Air-Borne Sound

For sound transmitted solely through air, the measurement location shall be one or more of the following points of reception:

(i) a location out-of-doors where a person may be exposed to the sound; or

(ii) the plane of an exterior door or window of a room in which a person may be exposed to the sound, where the door or window is open.

Use of Instrumentation

(a) Battery Check

If the Integrating Sound Level Meter uses a battery, the condition of the battery shall be checked before each measurement, and measurement shall not commence unless the battery has sufficient life remaining to permit proper operation for a period of at least one hour.

(b) Calibration

The Integrating Sound Level Meter shall be calibrated before and after each measurement period.

(c) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of subclause 4(3)(a)(ii) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter. For the case of subclause 4(3)(a)(ii) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(d) Extraneous Sources

When measuring the sound from a source, integration shall from time to time be inhibited by the operator immediately when the received sound is dominated by sound from a source other than the source under study and it shall remain inhibited while such a condition persists and for at least 10 seconds thereafter. While integration is inhibited the elapsed time used to calculate the equivalent sound level shall not be allowed to accumulate.

(e) Timing

If the Integrating Sound Level Meter is not provided with an internal elapsed-time clock, the operator shall accumulate the elapsed time during the measurement period by means of a stop-watch or other time measuring device.

(f) Readings

(i) Stationary Source

When measuring the sound from a stationary source, measurements to be used in calculating results shall be taken during a continuous period not in excess of one hour and, for purposes of calculation and reporting of results, the accumulated elapsed time of measurement as obtained in accordance with clause (d) is deemed to be one hour if the accumulated time is 20 minutes or more. Measurements containing information from an accumulated time period of less than 20 minutes are insufficient for purposes of calculating the equivalent sound level (L_{eq}) of a stationary source.

(ii) Road Traffic Noise Sources

When measuring the sound from road traffic the accumulated elapsed time obtained in accordance with clause (d) shall not be less than twenty minutes and the actual accumulated elapsed time of measurement shall be used for purposes of calculation.

(g) Adjustments

Adjustments for quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments and the result reported. No adjustment shall be made for intermittence.

(h) Variation in Calibration

A measurement shall not be reported if the Integrating Sound Level Meter calibration after the measurement period is more than 0.5 dB different from that before the measurement commenced.

(i) Weather Conditions

(i) Wind

Measurements shall not be made unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102-Instrumentation and particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. (Normally, only the lower temperature limit is significant.)

(j) Readings Reported

(i) For sound from a stationary source, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is one hour is, after adjustment in accordance with clause (g), the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f)(i).

For sound from road traffic, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is the actual accumulated elapsed time, is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f)(ii).

(iii) The one hour equivalent sound level (L_{eq}) shall be reported to the nearest decibel.

(5) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used. (Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

(i) Location and description of sound sources.

(ii) A list of the types of extraneous noise sources which caused integration to be inhibited during measurement.

(iii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.

(iv) Physical and topographical description of the ground surface.

(v) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in °C, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

(i) type, model and serial number of Integrating Sound Level Meter;

(ii) type, model and serial number of microphone;

(iii) type, model and serial number of Acoustic Calibrator;

(iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

(i) the location of the microphone, using a sketch if necessary;

(ii) the continuous time period of observation;

(iii) the accumulated elapsed time of measurement following the procedure of clauses 4(4)(d) and (e);

(iv) the Integrating Sound Level Meter reading or output and any other relevant data required for calculations;
(v) adjustments made for quality of sound;
(vi) details of all calculations;
(vii) the equivalent sound levels obtained, preferably listed in tabular form, referencing location on a sketch or map;
(viii) comparision with applicable sound level limits, standards or guidelines.

3. Procedure for Measurement of Sound and Vibration Due to Blasting Operations

(1) Application

This procedure applies to the measurement of sound (concussion) and vibration due to blasting operations.

(2) Sound

(a) Instrumentation

(i) Measuring Device

A Peak Pressure Level Detector shall be used.

(ii) Calibrator

An Acoustic Calibrator shall be used.

(iii) Windscreen

A windscreen shall be used in all outdoor measurements.

(b) Measurement Location

The measurement location shall be at a point of reception out-of-doors within 7 m of a building.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

The measuring device shall be calibrated after it has been allowed to warm up and stabilize and after each measurement has been made.

(iii) Meter Setting

The measuring device shall be set to read the peak pressure level using linear response and a 'hold' facility, if available.

(d) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface and not less than arm's length from the body of the person operating the device. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

30.

(ii) Microphone Orientation

The microphone shall be oriented such that the concussion wave to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Readings

(i) Peak Pressure Level

The value of peak pressure level reported shall be given to the nearest decibel.

(ii) Variation in Calibration

A measurement shall not be reported if the meter calibration after the measurement is more than 0.5 dB different from that before the measurement.

(iii) Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(f) Weather Conditions

(i) Wind

Measurements shall not be reported unless the wind-induced sound pressure level is more than 10 dB below the measured peak pressure level. Reference should be made to Publication NPC-102 - Instrumentation.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the meter specification is guaranteed by the manufacturer. (Normally only the lower temperature limit is significant.)

(3) Vibration

(a) Instrumentation

(i) Measuring Device

A Vibration Velocity Detector shall be used.

(ii) Calibrator

An electrical reference signal of known voltage and frequency shall be used in the field for calibration of the Vibration Velocity Detector excluding the transducer. A reference vibration source shall be used for laboratory calibration of the complete Vibration Velocity Detector.

b Measurement Location

Vibration measurements shall be made at a point of reception inside a building below grade or less than 1 m above grade, preferably on a basement floor close to an outside corner.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

Field calibration shall be carried out before and after each measurement. Laboratory calibration of the complete Vibration Velocity Detector as used in the field, including the transducer, shall be carried out not less than once per calendar year and the results certified.

(d) Instrument Configuration

(i) Mounting

The transducer shall be affixed to a part of the structure so as to prevent movement of the transducer relative to the structure.. The preferred structural element is the basement floor as indicated in clause (b).

(ii) Transducer Orientation

If three vector components of vibration velocity are recorded individually, it is preferable to orient the transducers such that the three axes of measurement are (a) vertical, (b) radial (along a horizontal line joining the location of the blast to the location of measurement) and, (c) transverse (along a horizontal line at right angles to the line joining the location of the blast to the location of measurement).

(e) Readings

(i) Peak Particle Velocity

The peak particle velocity in cm/s shall be reported.

(ii) Variation in Calibration

A measurement shall not be reported if calibration after the measurement is more than 5% different from that before the measurement.

Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(4) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used.

(a) Description of Area

(i) Location and description of the blasting operation.

(ii) Dimensioned sketch including photographs, if possible, of the location of the blasting operation, the nearest premises and the measurement location.

(iii) Description of the measurement location.

(iv) Physical and topographical description of the ground surface.

(v) Meteorological conditions at the time of the investigation, including approximate wind speed in km/h, wind direction, air temperature in degrees Celsius, approximate relative humidity, degree of cloud cover and whether or not a condition of thermal inversion prevailed.

(b) Instrumentation

All the equipment used for making sound and vibration measurements shall be listed, including:

(i) type, model and serial number of Peak Pressure Level Detector;

(ii) type, model and serial number of microphone;

(iii) type, model and serial number of Acoustic Calibrator;

(iv) windscreen;

(v) extension cables and additional amplifiers, if used;

(vi) type, model and serial number of Vibration Velocity Detector;

(vii) type, model and serial number of transducers.

(viii) type, model and serial number of vibration calibrator.

(c) Sound and Vibration Data

The measurement details shall be described, including:

(i) the location where measurements were taken, the time period involved and the orientation of instrumentation using a sketch, if necessary;

(ii) details of all calculations;

(iii) the peak pressure level in dB and/or peak particle velocity in cm/s;

(iv) comparison with applicable peak pressure limits and/or peak particle velocity limits.

6. Exterior Sound Level Measurement Procedure For Powered Mobile Construction Equipment - SAE J88a

SAE J88a Recommended Practice is adopted by the Ministry with the following change:

> Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to Publication IEC-179 (1973) for Precision sound level meters. (General Purpose Sound Level Meter)

7. MEMAC Test Code For the Measurement of Sound From Pneumatic Equipment

The MEMAC Test Code For The Measurement Of Sound From Pneumatic Equipment is adopted by the Ministry with the following additional requirement:

For measurement of percussive machines the sound level meter used shall meet the specifications of IEC Publications 179 and 179A (1973). (Impulse Sound Level Meter)

8. Exterior Sound Level Measurement Procedure For Small Engine Powered Equipment - SAE J 1046

SAE J 1046 - Recommended Practice, is adopted by the Ministry with the following changes:

(1) Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to IEC Publications 179 and 179A (1973). (Impulse Sound Level Meter)

(2) Replace clause 3.1.1 with the following:
The minimum dimensions of the measurement zone are defined as a path of travel 1.2 m wide by 14 m long plus an adjacent area having the base along the edge of the path of travel and the apex 7 m from the midpoint of the base.

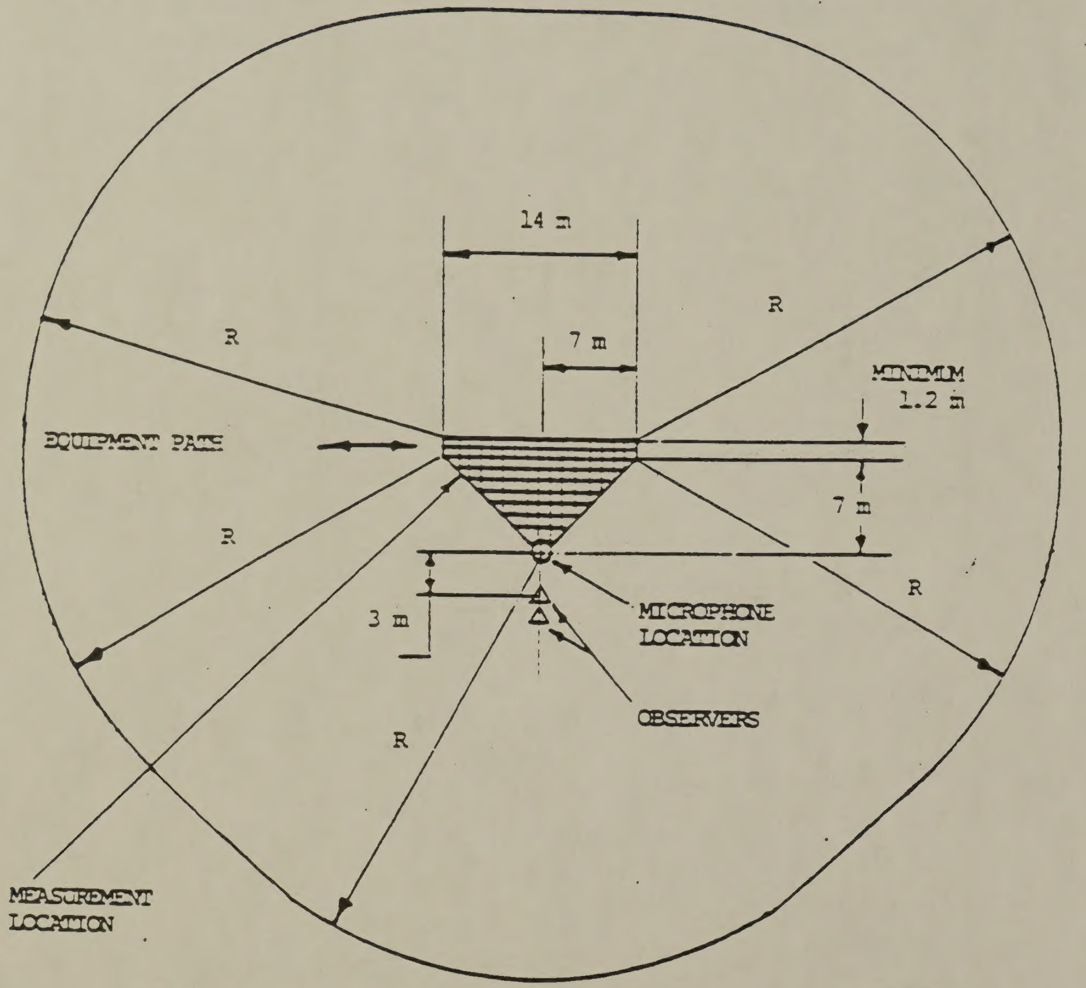
(3) Replace Fig. 1 with Fig. 103-1, hereof.

(4) In section 3.3 Measurements, all references to 25 ft. shall be changed to 7 m.

9. Procedure for Measurement of the Maximum Exterior Sound Level of Stationary Trucks with Governed Diesel Engines-CSA Z107.22-M1977

(1) CSA Z107.22-M1977 standard is adopted by the Ministry with the following change:

> A General Purpose Sound Level Meter shall be used.


14 m
7 m
R
R
R
R
R
R
MINIMUM
1.2 m
EQUIPMENT PATH
7 m
3 m
MICROPHONE
LOCATION
OBSERVERS
MEASUREMENT
LOCATION

REF. US EPA 550/9-74-011

R = 30 m MINIMUM RADIUS

TEST SITE CONFIGURATION FOR EXTERIOR SOUND LEVEL MEASUREMENT

PROCEDURE FOR SMALL ENGINE POWERED EQUIPMENT - SAE J 1046

FIG. 103-1

35.

Publication – N.P.C. 104

Sound Level Adjustments

Sound Level Adjustments

1. Scope

This Publication refers to the adjustment of a sound level obtained following the procedures set out in either section 3 or 4 of NPC-103 - Procedures.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Intermittence

If a sound is intermittent, the following adjustment shall be subtracted from the observed value:

$$\text{Adjustment} = 10 \log_{10} \frac{1}{x}$$

where x is the fraction of an hour for which the sound persists.

Such sound level adjustments are approximated in Table 104-1.

4. Adjustment for Special Quality of Sound

(1) Tonality

If a sound has a pronounced audible tonal quality such as a whine, screech, buzz, or hum then the observed value shall be increased by 5.

(2) Cyclic Variations

If a sound has an audible cyclic variation in sound level such as beating or other amplitude modulation then the observed value shall be increased by 5.

(3) Quasi-Steady Impulsive Sound

If a sound is Quasi-Steady Impulsive Sound then the observed value shall be increased by 10.

(4) One Adjustment Only

An adjustment may be made under one only of subsections (1), (2) and (3), providing that, if subsection (3) applies, it shall be used in preference to subsection (1) or subsection (2).

TABLE 104-1

Adjustment for Intermittence

Duration of Sound In One Hour (Minutes)	Adjustment
40 - 60	0
20 - 39	3
10 - 19	6
5 - 9	9
3 - 4	12
1 - 2	15
less than 1	20

Publication N.P.C. 115

Construction Equipment

38.

Publication N.P.C. 115

Construction Equipment

Publication NPC-115

Construction Equipment

1. Scope

This Publication sets sound emission standards for various items of new construction equipment according to the date of manufacture of the equipment.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Sound Emission Standards

Tables 115-1 to 115-4 inclusive list Residential Area sound emission standards and Quiet Zone sound emission standards for specific items of new construction equipment measured in accordance with the procedures indicated.

TABLE 115-1

Quiet Zone and Residential Area Sound Emission Standards for Excavation Equipment, Dozers, Loaders, Backhoes or Other Equipment Capable of Being Used for Similar Application

	Maximum Sound Level as determined using Publication NPC-103 - Procedures, section 6 dBA	
Date of Manufacture	Power Rating Less than 75 kW	Power Rating 75 kW and larger
January 1, 1979 to December 31, 1980	85	88
January 1, 1981 and after	83	85

TABLE 115-2

Sound Emission Standards for Pneumatic Pavement Breakers

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission Standard	Jan. 1, 1979 and after	85
Residential Area Sound Emission Standard	Jan. 1, 1979 to Dec. 31 1980	90
	Jan. 1, 1981 and after	85

TABLE 115-3

Sound Emission Standards for Portable Air Compressors

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission Standard	Jan. 1, 1979 to Dec. 31, 1980	76
	Jan. 1, 1981 and after	70
Residential Area Sound Emission Standard	Jan. 1, 1979 and after	76

41.

TABLE 115-4

Sound Emission Standard for Tracked Drills

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 6. dBA
Quiet Zone and Residential Area Sound Emission Standard	Jan. 1, 1981 and after	100

42.

Publication – N.P.C. 119

Blasting

Blasting

1. Scope

This Publication refers to limits on sound (concussion) and vibration due to blasting operations.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Measurement Procedures

All measurements of peak pressure level and vibration velocity shall be made in accordance with the "Procedure for Measurement of Sound and Vibration due to Blasting Operations" set out in Publication NPC-103 - Procedures, section 5.

4. Concussion - Cautionary Limit

Subject to section 5 the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 120 dB.

5. Concussion - Peak Pressure Level Limit

If the person in charge of a blasting operation carries out routine monitoring of the peak pressure level, the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 128 dB.

6. Vibration - Cautionary Limit

Subject to section 7, the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.00 cm/s.

7. Vibration - Peak Particle Velocity Limit

If the person in charge of a blasting operation carries out routine monitoring of the vibration the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.25 cm/s.

44.

Publication – N.P.C. 205

Sound Level Limits for Stationary Sources In Class 1 and 2 Areas (Urban)

45.

SOUND LEVEL LIMITS FOR STATIONARY SOURCES IN CLASS 1 & 2 AREAS (URBAN)

PUBLICATION NPC-205

OCTOBER 1995

Ontario

Ministry
of the
Environment

46.

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47.

Ontario

MINISTRY OF THE ENVIRONMENT

Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)
Publication NPC-205

October 1995

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 1 and 2 Areas (Urban). It replaces Publication NPC-105 "Stationary Sources" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 1 and 2 Areas (Urban). The limits apply to noise complaint investigations carried out in order to determine potential violation of Section 14 of the Environmental Protection Act. The limits also apply to the assessment of planned stationary sources of sound in compliance with Section 9 of the Environmental Protection Act, and under the provisions of the Aggregate Resources Act and the Environmental Assessment Act.

This Publication does not address sound and vibration produced by blasting; blasting in quarries and surface mines is considered in Reference [7].

The Publication includes an Annex, which provides additional details, definitions and rationale for the sound level limits.

2. REFERENCES

Reference is made to the following publications:

[1] NPC-101 - Technical Definitions

[2] NPC-102 - Instrumentation

[3] NPC-103 - Procedures

[4] NPC-104 - Sound Level Adjustments

[6] NPC-206 - Sound Levels due to Road Traffic

[7] NPC-119 - Blasting

[8] NPC-216 - Residential Air Conditioning Devices

[9] NPC-232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

[10] NPC-233 - Information to be Submitted for Approval of Stationary Sources of Sound

[12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [4] and [7] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"

means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area, or
- a wilderness area.

Other technical terms are defined in Reference [1] and in the Annex to Publication NPC-205.

4. ESTABLISHMENT OF LIMITS - OBJECTIVE

The sound level limit at a point of reception must be established based on the principle of "predictable worst case" noise impact. In general, the limit is given by the background sound level at the point of reception. The sound level limit must represent the minimum background sound level that occurs or is likely to occur during the operation of the stationary source under impact assessment.

5. BACKGROUND SOUND LEVELS

The time interval between the background sound level measurement and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

6. SOUND LEVELS DUE TO STATIONARY SOURCES

(1) **Complaint Investigation of Stationary Sources**
The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement performed in accordance with Section 7.

(2) **Approval of Stationary Sources**
The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement or prediction. The estimation of the L_{eq} and/or L_{LM} of the stationary source under impact assessment shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the predicted sound level produced by the stationary source and the background sound level of the natural environment is at a maximum.

7. PROCEDURES

All sound level measurements and calculations shall be made in accordance with References [3], [6]and [12].

Sound from existing adjacent stationary sources may be included in the determination of the background One Hour Equivalent Sound Level (L_{eq}) if such stationary sources of sound are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

8. SOUND LEVEL LIMITS - GENERAL

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is the background One Hour Equivalent Sound Level (L_{eq}) typically caused by road traffic as obtained pursuant to Section 6 for that point of reception.

(2) For sound from a stationary source, including Quasi-Steady Impulsive Sound but not including other impulsive sound, the sound level limit expressed in terms of the One Hour Equivalent Sound Level (L_{eq}) is the background One Hour Equivalent Sound Level (L_{eq}) typically caused by road traffic as obtained pursuant to Section 6 for that point of reception.

9. SOUND LEVEL LIMITS - SPECIFIC IMPULSIVE SOUNDS

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is an industrial metal working operation (including but not limited to forging, hammering, punching, stamping, cutting, forming and moulding), the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is 60 dBAI, if the stationary source were operating before January 1, 1980, and otherwise is 50 dBAI.

(2) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is the discharge of firearms on the premises of a licensed gun club, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is:

- 70 dBAI if the gun club were operating before January 1, 1980; or
- 50 dBAI if the gun club began to operate after January 1, 1980; or
- the L_{LM} prior to expansion, alteration or conversion.

(3) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is not a blasting operation in a surface mine or quarry, characterized by impulses which are so infrequent that they cannot normally be measured using the procedure for frequent impulses of Reference [3] the sound level limit at a point of reception expressed in terms of the impulse sound level is 100 dBAI.

10. SOUND LEVEL LIMITS - PEST CONTROL DEVICES

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is 70 dBAI.

(2 For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception expressed in terms of the One Hour Equivalent Sound Level (L_{eq}) is 60 dBA.

11. PROHIBITION - PEST CONTROL DEVICES

The operation of a pest control device employed solely to protect growing crops outdoors during the hours of darkness, sunset to sunrise, is prohibited.

12. PRE-EMPTION

The least restrictive sound level limit of Sections 8, 9 and 10 applies.

13. EXCLUSION

No restrictions apply to a stationary source resulting in a One Hour Equivalent Sound Level (L_{eq}) or a Logarithmic Mean Impulse Sound Level (L_{LM}) lower than the minimum values for that time period specified in Table 205-1.

TABLE 205-1

Minimum Values of One Hour L_{eq} or L_{LM} by Time of Day

	One Hour L_{eq} (dBA) or L_{LM} (dBAI)	
Time of Day	Class 1 Area	Class 2 Area
0700 - 1900	50	50
1900 - 2300	47	45
2300 - 0700	45	45

53.

Annex to Publication NPC-205
Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

October 1995

A.1. GENERAL

In general, noises are annoying because they are heard over and above the level of the so-called "background" or surrounding environmental noise climate at a particular location. The standard for environmental noise acceptability of stationary sources is therefore expressed as the difference between noise from the source and the background noise.

The background noise is essentially made up of the road traffic noise which creates an "urban hum". It may also include contributions from existing industry or commercial activity adjacent to the stationary source under investigation. Contributions of these secondary noise sources are considered to be a part of urban hum and may be included in the measurements or calculation of the background sound levels, provided that they are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

The sound level limits specified in Section 8 of Publication NPC-205 represent the general limitation on noise produced by stationary sources. Some noises, however, are annoying no matter where or in what kind of environment they exist. High level impulsive noises represent a special category and, consequently, are restricted by an absolute limitation. Sections 9 and 10 of this Publication provide criteria of acceptability for specific impulsive noise sources.

A.2. APPLICATION

The limits presented in Publication NPC-205 are designed for the control of noise from sources located in industrial, commercial or residential areas. The limits apply to points of reception located in Class 1 and Class 2 Areas.

Sound level limits contained in Publication NPC-205 do not apply to the excluded noise sources listed in Section A.3.(2) and neither do they apply to any equipment, apparatus or device used in agriculture for food crop seeding, chemical spraying or harvesting. In addition, several specific noise sources have been addressed in separate Publications. Limits for residential air conditioners are contained in Publication NPC-216 - Residential Air Conditioning Devices, Reference [8] and the limits for blasting operations in quarries and surface mines are contained in Publication NPC-119 - Blasting, Reference [7].

A.3. STATIONARY SOURCES

The objective of the definition of a stationary source of sound is to address sources such as industrial and commercial establishments or ancillary transportation facilities. In order to further clarify the scope of the definition, the following list identifies examples of installations, equipment, activities or facilities that are included and those that are excluded as stationary sources.

(1) Included Sources

Individual stationary sources such as:

- Heating, ventilating and air conditioning (HVAC) equipment;
- Rotating machinery;
- Impacting mechanical sources;
- Generators;
- Burners;
- Grain dryers.

Facilities, usually comprising many sources of sound. In this case, the stationary source is understood to encompass all the activities taking place within the property boundary of the facility. The following are examples of such facilities:

Industrial facilities;
Commercial facilities;
Ancillary transportation facilities;
Aggregate extraction facilities;
Warehousing facilities;
Maintenance and repair facilities;
Snow disposal sites;
Routine loading and unloading facilities (supermarkets, assembly plants, etc.).

Other sources such as:

Car washes;
Race tracks;
Firearm Ranges.

(2) Excluded Sources

Secific sources or facilities:

Construction activities;
Transportation corridors, i.e. roadways and railways;
Residential air conditioning devices including air conditioners and heat pumps;
Gas stations;
Auditory warning devices required or authorized by law or in accordance with good safety practices;
Occasional movement of vehicles on the property such as infrequent delivery of goods to convenience stores, fast food restaurants, etc.

Other noise sources, normally addressed in a qualitative manner in municipal noise by-laws:

The operation of auditory signalling devices, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means;
Noise produced by animals kept as domestic pets such as dogs barking;
Tools and devices used by occupants for domestic purposes such as domestic power tools, radios and televisions, etc., or activities associated with domestic situations such as domestic quarrels, noisy parties, etc;
Noise resulting from gathering of people at facilities such as restaurants and parks.

Activities related to essential service and maintenance of public facilities such as but not limited to roadways, parks and sewers, including snow removal, road cleaning, road repair and maintenance, lawn mowing and maintenance, sewage removal, garbage collection, etc.

A.4. PREDICTABLE WORST CASE IMPACT

The assessment of noise impact requires the determination of the "predictable worst case" impact. The "predictable worst case" impact assessment should establish the largest noise excess produced by the source over the applicable limit. The assessment should reflect a planned and predictable mode of operation of the stationary source.

It is important to emphasize that the "predictable worst case" impact does not necessarily mean that the sound level of the source is highest: it means that the excess over the limit is largest. For example, the excess over the applicable limit at night may be larger even if the day-time sound level produced by the source is higher.

A.5. DEFINITIONS

In the interpretation of Publication NPC-205, the following definitions are of particular relevance:

- Ancillary Transportation Facilities
  "Ancillary transportation facilities" mean subsidiary locations where operations and activities associated with the housing of transportation equipment (or personnel) take place. Examples of ancillary transportation facilities include, but are not limited to, substations, vehicle storage and maintenance facilities, fans, fan and vent shafts, mechanical equipment plants, emergency services buildings, etc;

- Construction
  "Construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith; "construction" excludes activities associated with the operation at waste and snow disposal sites;

- Construction Equipment
  "Construction equipment" means any equipment or device designed and intended for use in construction, or material handling including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;

- Conveyance
  "Conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;

- Highway
  "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

- Motor Vehicle
  "Motor vehicle" includes an automobile, motorcycle,and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of diesel, electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;

- Motorized Conveyance
  "Motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;

- Noise
  "Noise" means unwanted sound;

- Point of Reception
  "Point of reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received.

For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises;

- Stationary Source
  "Stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance;

- Urban Hum
  means aggregate sound of many unidentifiable, mostly road traffic related noise sources.

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Publication – N.P.C. 216

Residential Air Conditioning Devices

58.

RESIDENTIAL AIR CONDITIONING DEVICES

PUBLICATION NPC-216

OCTOBER 1993

Ontario

Ministry of
Environment
and Energy

59.

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RESIDENTIAL AIR CONDITIONING DEVICES

PUBLICATION NPC-216

OCTOBER 1993

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This Publication establishes sound level limits and sound emission standards for residential air conditioning devices.

This document replaces Technical Publication NPC-116 "Residential Air Conditioners" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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Publication NPC-216

Residential Air Conditioning Devices

1. Scope

This Publication sets sound level limits and sound emission standards for residential air conditioning devices including heat pumps installed in urban areas of Ontario.

2. References

Reference is made to the following publications, or revisions thereof:

[1] NPC-101 - Technical Definitions

[2] NPC-102 - Instrumentation

[3] NPC-103 - Procedures

[4] NPC-104 - Sound Level Adjustments

[6] NPC-206 - Sound Levels due to Road Traffic

[10] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376 (1989).

[12] Survey of Outdoor Air Conditioner Noise, Final Report. RAC Report #458G, Ontario Ministry of the Environment, ISBN 0-7729-9094-8 (1991).

[13] Environmental Noise Guidelines for the Installation of Residential Air Conditioning Devices, Ontario Ministry of Environment and Energy, ISBN 0-7778-1616-4 (1993).

[14] ARI* Standard 270 - 84. Sound Rating of Outdoor Unitary Equipment.

[15] ARI* Standard 275 - 84. Application of Sound Rated Outdoor Unitary Equipment.

[16] ANSI Standard S12.32 - 1990, Discrete-Frequency and Narrow-Band Noise Sources in Reverberation Rooms, Precision Methods for the Determination of Sound Power Levels.

References [1] to [6] are also part of the Model Municipal Noise Control By-Law, Ontario Ministry of the Environment.

3. Technical Definitions

"Ambient sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. See Background sound level;

"Background sound level"
means Ambient sound level;

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[*] Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Suite 425, Arlington, VA 22203

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"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

"Class 2 Area"
means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- ambient sound level is defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources* other than from those under consideration.

"Class 3 Area"
means an area with an acoustical environment that is dominated by natural sounds typical of agricultural or wilderness areas and having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- farm land or land zoned rural or agricultural;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

4. Sound Level Limits for Air Conditioning Devices

Either the general sound level limit in Section 4.(1) or the specific sound level limit in Section 4.(3) shall apply to an air conditioning device. The less restrictive of these two limits shall prevail.

(1) General Sound Level Limit

The general sound level limit (shown in Table 216-1 and determined in accordance with Section 4.(2)) is 5 dBA greater than a one hour equivalent sound level (L_{eq}) caused by road traffic at the point of reception during the period of 07:00 to 21:00 hours. The specific hour is to be determined by the noise control officer based on the assessment of annoyance by the complainant.

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* In the context of this Publication, the stationary sources under consideration are residential air conditioning devices.

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TABLE 216-1

GENERAL SOUND LEVEL LIMIT

All Air Conditioning Devices	
Area Type	L_{eq} (dBA)
Class 1 and Class 2	One Hour Equivalent Sound Level (L_{eq}) of road traffic plus 5 dBA measured during the period of 07:00 to 21:00 hours

(2) Establishment of the General Sound Level Limit

The general sound level limit shall be established through measurements or calculation of the One Hour Equivalent Sound Level (L_{eq}) caused by road traffic as obtained pursuant to Reference [6] at the point of reception.

(3) Specific Sound Level Limits

Specific sound level limits are identified in Table 216-2 for two types of residential air conditioning devices as minimum limits of compliance.

TABLE 216-2

SPECIFIC SOUND LEVEL LIMITS

Central Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50*
Window or Through-the-Wall Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50

---

* When the devices are mandatory requirements for noise control in the interior living spaces of new land use developments, the specific sound level limit is one hour L_{eq} = 55 dBA.

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5. Sound Levels from Installed Air Conditioning Devices

To determine if an installed air conditioning device complies with the sound level limits, the sound level due to the device must be measured following the procedure described in Reference [3].

The procedure assumes that the measured sound is dominated by the source under investigation (air conditioning device). To ensure that the measured sound is dominated by the air conditioning device, sound level measurements must be carried out separately with, and without the device in operation.

The measurement of the background sound level, i.e. without the air conditioning device operating, is carried out in accordance with the procedure described in Reference [3].

If the change in sound level measured separately with, and without the air conditioning device operating is less than 10 dBA, a correction shall be made to determine the contribution of the existing background sound levels to the overall measured sound level. Table 216-3 provides correction values and a example of the calculation.

TABLE 216-3

PROCEDURE RECOMMENDED TO SEPARATE THE SOUND LEVEL OF AN AIR CONDITIONING DEVICE FROM THE BACKGROUND SOUND LEVEL

Change in dBA of Sound Level With and Without Unit in Operation	Correction in dBA to Be Subtracted from Higher Sound Level to Obtain Sound Level from Device
10 or more	0
7 to 9	1
4 to 6	2
3	3
2	4
1	6
0	10

Example:

Sound level without unit in operation = 45 dBA

Sound level with unit in operation = 50 dBA

Change = 5 dBA

Correction from Table = 2 dBA

Unit sound level = 50 - 2 = 48 dBA

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6. Sound Emission Standards

Table 216-4 gives the sound emission standards for new residential central air conditioning devices.

TABLE 216-4

SOUND EMISSION STANDARDS FOR RESIDENTIAL CENTRAL AIR CONDITIONING DEVICES

Date of Manufacture	Size (BTUH)	Maximum ARI Standard* Sound Rating (bels)
After 1990-12-31 and Before 1992-01-01	38,900 or less	8.0
After 1991-12-31 and Before 1995-01-01	38,900 or less	7.6
After 1994-12-31	38,900 or less	(Under discussion with the industry to assess the feasibility of reduction.)
BTUH = British Thermal Unit for an Hour		

* Measurement procedure as per Reference [14].

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ANNEX

EXPLANATORY NOTES TO

PUBLICATION NPC-216
RESIDENTIAL AIR CONDITIONING DEVICES

A.1. Sound Level Measurements - Summary

Verification of compliance of the air conditioner and heat pump units with the sound level limits can be accomplished through measurements using a properly calibrated sound level meter which meets the required standard specifications.

Details of the instrument specifications are included in Reference [2].

The measurements shall be performed outdoors at a sensitive location on neighbouring residential property in the vicinity of the air conditioning device, where the sound of the device may cause annoyance. Typically this would be a patio or a window.

The measurements may also be required at a point of reception in the plane of an open window facing the unit to ensure that the sound level at noise sensitive indoor spaces in a neighbouring residence is not in excess of the guideline limits. Details of the measurement procedure are included in Reference [3].

A.2. Sound Level Limits

People's response to noise varies depending upon the community's, as well as the individual's economic and social relationship to the source. The sound level limits for air conditioner and heat pump noise were established based on the results of sociological surveys of large numbers of people and represent what is considered to be the onset of significant degradation of the noise environment relative to the expectations of the general population.

The sound level limits are receptor oriented, i.e. they apply at any noise sensitive location within a Class 2 or Class 1 Area (as defined in NPC-216) at which sound from the air conditioning device may cause annoyance.

The specific limits shown in Table 216-2 are expressed in terms of the one hour equivalent sound level L_{eq}, and apply to receptor locations in Class 1 and Class 2 Areas.

A separate limit applies to those receptor locations in Class 1 Areas where the unit was a mandatory requirement for noise control of the interior living space in new land use developments.

A preemption in the form of a general limit applies in an area of a relatively high background noise caused by road traffic as shown in Table 216-1. In accordance with this pre-emption, the existing background sound level, if higher than the limits in Table 216-2, represents the criterion of acceptability for the air conditioning device operation. In addition, the general limits are increased by 5 dBA for any hour from 07:00 to 21:00 hours. The period of assessment was chosen in accordance with the findings of a sociological survey conducted in 1990, Reference [12].

68.

A.3. Complaint Investigation

Investigators of a complaint against installed air conditioning devices must carry out sound level measurements at the receptor location(s). The measurements are to be made in accordance with methods identified in Section A.1. The operating sound of the air conditioning device and the background sound consisting of the road traffic noise must be measured at the same location, separately. While the background sound level is measured the air conditioning device must be turned off. Contributions from aircraft and rail noise sources must be inhibited at all times. Unattended measurements are not recommended. Atmospheric conditions may have significant influence on the ambient sound levels, for details see Reference [3].

The sound level of an installed air conditioning device may be calculated from the sound levels measured with the device operating (device plus background noise) and without it operating (background only). The procedure is described in Section 5. A correction value is determined between these two sound levels. Subtracting this correction from the higher sound level (measured with the device in operation) gives the sound level due to the air conditioning device itself. See Table 216-3.

Determination of the road traffic sound level is to be made by the noise control officer based on the assessment of the annoyance by the complainant(s). The time of highest annoyance within the time period of 07:00 to 21:00 is to fall in the selected one hour of the road traffic noise.

A.4. Installation of Air Conditioning Devices

Purchasers and installers of air conditioning devices have to be cognizant of the MOEE guideline on the Sound Emission Standards listed in Table 216-4. Further explanation of the standards is provided in Section A.5. Only units meeting the requirements of Table 216-4 may be installed in Ontario.

For guidance on the selection, location or sound rating of the air conditioning devices or for the method to estimate the sound levels, installers should refer to Reference [13].

Installation of units that are in compliance with the sound emission standard must also be in compliance with the point of reception sound level limits, i.e. complying with the least restrictive sound level limit of Tables 216-1 and 216-2.

If the calculated sound level of the unit is in excess of the specific sound level limit (Table 216-2), the general sound level limit is to be determined. If both limits are exceeded by the calculated levels then alteration is needed in one or more of the following: the size or make of unit, its location or the type of noise reducing installation treatment (use of barrier or enclosure).

Owners of installed units producing a sound level in excess of the sound level limits will be required to reduce the noise of the unit, when faced with complaints.

Noise abatement is more expensive and less cost effective than a proper installation.

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A.5. Sound Emission Standards

In contrast to the sound level limits which apply at the point of reception, sound emission standards are source oriented, and are based on the concept of sound power level which is a basic measure of the acoustic output of a noise source.

The sound level of the air conditioner or heat pump at a receptor location depends on many factors such as distance separation, unit's orientation with respect to the receptor, presence of shielding objects or structures, intervening terrain, topography and ground cover between the unit and receptor, as well as on atmospheric conditions, all of which are independent of the actual sound emission of the unit.

Sound power on the other hand is a fundamental property of the acoustic source alone and is, therefore, an important absolute parameter which is widely used for rating and comparing sound sources.

The rating of air conditioner and heat pump equipment is designated as the ARI Sound Rating (SR*) and is provided by the manufacturer of the device.

The Sound Rating is based on laboratory tests performed at Standard Rating Conditions in accordance with References [14] and [16]. The SR is an indicator of the sound power level of the equipment; the lower the SR, the lower the sound power of the air conditioner or heat pump.

Sound Emission Standards in Table 216-4 apply to central air conditioning devices only and not for window or through-the-wall units.

The maximum acceptable ARI Standard Sound Ratings shown in Table 216-4 are set in accordance with the date of manufacture. Two Sound Emission Standards, 8.0 and 7.6 bels are specified for air conditioner and heat pump units manufactured during 1991, and during 1992 through 1994 respectively. The Sound Emission Standard applies to units that are sized at 38,900 BTUH capacity or less. The emission limits projected after 1994 are under discussion with the industry to assess the feasibility of reduction.

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* SR is a tone corrected A-weighted sound power level, expressed in bels

70.

Publication – N.P.C. 232

Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

Publication – N.P.C. 206

Sound Levels of Road Traffic

72.

SOUND LEVELS DUE TO ROAD TRAFFIC

PUBLICATION NPC-206

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MINISTRY OF THE ENVIRONMENT

Sound Levels due to Road Traffic
Publication NPC-206
October 1995

This Publication describes the methods to determine the equivalent sound level produced by road traffic. It replaces Publication NPC-106 "Sound Levels of Road Traffic" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

1. SCOPE

This Publication describes the methods to determine the One Hour Equivalent Sound Level (L_{eq}) of sound caused by road traffic. The road traffic sound level is used to define sound level limits for the purposes of complaint investigation or approval of stationary sources of sound.

The methods apply at a point of reception in any community where the background sound level is dominated by the sound of road traffic, referred to as "urban hum". Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of this background sound level.

2. REFERENCES

Reference is made to the following publications:

[1] NPC-101 - Technical Definitions

[2] NPC-102 - Instrumentation

[3] NPC-103 - Procedures

[5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

[11] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [3] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level;

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level;

Other technical terms are defined in Reference [1].

4. SOUND LEVELS DUE TO ROAD TRAFFIC

Depending on the application, the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be obtained either by measurement or by calculation. The following procedures shall be used for complaint investigation and for the approval of stationary sources:

15.

(1) **Complaint Investigation of Stationary Sources**

The One Hour Equivalent Sound Level (L_{eq}) of road traffic may be measured or calculated. Measurements of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be carried out using instrumentation described in Reference [2], following procedures for the measurement of varying sound described in Reference [3].

The results of the road traffic L_{eq} measurements must not be affected by the sound due to other noise sources; the measurements should be performed when the stationary source under impact assessment is not operating. The time interval between the road traffic L_{eq} measurements and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

The calculation of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be based on the traffic flows observed on the contributing road(s), from which traffic noise is audible at the point of reception, within one hour of the period when the sound from the stationary source is measured. The calculation procedure is described in Reference [11].

(2) **Approval of Stationary Sources**

Measurements of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall be carried out following procedures for the measurement of varying sound described in Reference [3].

Results of the measurement of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the sound level produced by the stationary source under impact assessment and the sound level due to road traffic is largest.

The One Hour Equivalent Sound Level (L_{eq}) of road traffic may be calculated on the basis of traffic flows observed on the contributing road(s), from which traffic noise is audible at the point of reception. The results of calculation of the One Hour Equivalent Sound Level (L_{eq}) of road traffic shall reflect the principle of "predictable worst case" noise impact. The calculation procedure is described in Reference [11].

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76.

SOUND LEVEL LIMITS FOR STATIONARY SOURCES IN CLASS 3 AREAS (RURAL)

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78.

MINISTRY OF THE ENVIRONMENT

Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)
Publication NPC-232

October 1995

This Publication establishes sound level limits for stationary sources such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 3 Areas (Rural). It replaces Publication NPC-132 "Guidelines for Noise Control in Rural Areas" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication establishes sound level limits for stationary sources of sound such as industrial and commercial establishments or ancillary transportation facilities, affecting points of reception in Class 3 Areas (Rural). The limits apply to noise complaint investigations carried out in order to determine potential violation of Section 14 of the Environmental Protection Act. The limits also apply to the assessment of planned stationary sources of sound in compliance with Section 9 of the Environmental Protection Act, and under the provisions of the Aggregate Resources Act and the Environmental Assessment Act.

This Publication does not address sound and vibration produced by blasting; blasting in quarries and surface mines is considered in Reference [7].

The Publication includes an Annex, which provides additional details, definitions and rationale for the sound level limits.

2. REFERENCES

Reference is made to the following publications:

[1] NPC-101 - Technical Definitions

[2] NPC-102 - Instrumentation

[3] NPC-103 - Procedures

[4] NPC-104 - Sound Level Adjustments

[5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

[6] NPC-206 - Sound Levels due to Road Traffic

[7] NPC-119 - Blasting

[8] NPC-216 - Residential Air Conditioning Devices

[10] NPC-233 - Information to be Submitted for Approval of Stationary Sources of Sound

[12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References [1] to [4] and [7] can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

2. DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

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"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"

means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

Other technical terms are defined in Reference [1] and in the Annex to Publication NPC-232.

3. ESTABLISHMENT OF LIMITS - OBJECTIVE

The sound level limit at a point of reception must be established based on the principle of "predictable worst case" noise impact. In general, the limit is given by the background sound level at the point of reception. The sound level limit must represent the minimum background sound level that occurs or is likely to occur during the operation of the stationary source under impact assessment.

4. BACKGROUND SOUND LEVELS OF THE NATURAL ENVIRONMENT

The One Hour Equivalent Sound Level (L_{eq}) and/or the One Hour Ninetieth Percentile Sound Level (L_{90}) of the natural environment shall be obtained by measurement performed in accordance with Section 7. The results of the measurements must not be affected by the sound of the stationary source under impact assessment.

The time interval between the background sound level measurement and the measurement of the sound level produced by the stationary source under impact assessment should be minimized as much as possible. Preferably, the two measurements should be carried out within one hour of each other.

5. SOUND LEVELS DUE TO STATIONARY SOURCES

(1) Complaint Investigation of Stationary Sources

The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement performed in accordance with Section 7.

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(2) **Approval of Stationary Sources**
The One Hour Equivalent Sound Level (L_{eq}) and/or the Logarithmic Mean Impulse Sound Level (L_{LM}) produced by the stationary sources shall be obtained by measurement or prediction. The estimation of the L_{eq} and/or L_{LM} of the stationary source under impact assessment shall reflect the principle of "predictable worst case" noise impact. The "predictable worst case" noise impact occurs during the hour when the difference between the predicted sound level produced by the stationary source and the background sound level of the natural environment is at a maximum.

6. PROCEDURES

All sound level measurements of the One Hour Equivalent Sound Level (L_{eq}) and the Logarithmic Mean Impulse Sound Level (L_{LM}) shall be made in accordance with Reference [3].

All sound level measurements of the One Hour Ninetieth Percentile Sound Level (L_{90}) shall be made using a Sound Level Meter capable of measuring percentile sound levels. The meter shall meet the applicable requirements for an Integrating Sound Level Meter of Reference [2]. The measurements shall be carried out following procedures for the measurement of varying sound described in Reference [3].

Sound from existing adjacent stationary sources may be included in the determination of the background hourly sound levels L_{eq} and L_{90}, if such stationary sources are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

7. SOUND LEVEL LIMITS - GENERAL

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is the lower of:

- the background One Hour Equivalent Sound Level (L_{eq}) obtained pursuant to Section 5; and
- the background One Hour Ninetieth Percentile Sound Level (L_{90}) plus 15 dB, i.e. L_{90} + 15 dB, obtained pursuant to Section 5.

(2) For sound from a stationary source, including Quasi-Steady Impulsive Sound but not including other impulsive sound, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the One Hour Equivalent Sound Level (L_{eq}), is the lower of:

- the background One Hour Equivalent Sound Level (L_{eq}) obtained pursuant to Section 5; and
- the background One Hour Ninetieth Percentile Sound Level (L_{90}) plus 10 dB, i.e. L_{90} + 10 dB, obtained pursuant to Section 5.

8. SOUND LEVEL LIMITS - SPECIFIC IMPULSIVE SOUNDS

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is an industrial metal working operation (including but not limited to forging, hammering, punching, stamping, cutting, forming and moulding), the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is 60 dBAI, if the stationary source were operating before January 1, 1980, and otherwise is 50 dBAI.

(2) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is the discharge of firearms on the premises of a licensed gun club, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is:

82.

- 70 dBAI if the gun club were operating before January 1, 1980; or
- 50 dBAI if the gun club began to operate after January 1, 1980; or
- the L_{LM} prior to expansion, alteration or conversion.

(3) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is not a blasting operation in a surface mine or quarry, characterized by impulses which are so infrequent that they cannot normally be measured using the procedure for frequent impulses of Reference [3], the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the impulse sound level, is 100 dBAI.

9. SOUND LEVEL LIMITS - PEST CONTROL DEVICES

(1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), is 70 dBAI.

(2) For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, from a pest control device employed solely to protect growing crops, the sound level limit at a point of reception within 30 m of a dwelling or a camping area, expressed in terms of the One Hour Equivalent Sound Level (L_{eq}), is 60 dBA.

10. PROHIBITION - PEST CONTROL DEVICES

The operation of a pest control device employed solely to protect growing crops is prohibited during the hours of darkness, sunset to sunrise.

11. PRE-EMPTION

The least restrictive sound level limit of Sections 8, 9 and 10 applies.

12. EXCLUSION

No restrictions apply to any stationary source resulting in a One Hour Equivalent Sound Level (L_{eq}) or a Logarithmic Mean Impulse Sound Level (L_{LM}), at a point of reception within 30 m of a dwelling or a camping area, lower than the minimum values for that time period, as specified in Table 232-1.

TABLE 232-1
Minimum Values of One Hour L_{eq} or L_{LM} by Time of Day

Time of Day	One Hour L_{eq} (dBA) or L_{LM} (dBAI)
0700 - 1900	45
1900 - 2300	40
2300 - 0700	40

May 21, 1999

84.

Annex to Publication NPC-232
Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

October 1995

A.1. GENERAL

The definitions in Publication NPC-232 of a Class 3 Area (Rural), as well as Class 1 and 2 Areas (Urban), provide a broad characterization of the areas including a range of localities. In formulating the definitions, consideration was given to the fact that the terms "rural" and "urban" embody a conception of distinct types of dwelling habitat.

On one hand, the term "urban" traditionally conveys a distinct image of a concentration of people and activities in a predominantly man-made environment dominated by road traffic noise, making intensive use of the space available. On the other hand, the term "rural" brings to mind a sparse distribution of people and activities in a predominantly natural environment using land extensively (farming) or not at all (wilderness areas). In between these two categories fall areas that exhibit characteristics of both "urban" and "rural" areas, particularly at different times of the day.

It is, however, evident that not all of the environment will fit neatly into one of these categories. The predominance of road traffic in the area is a significant factor in determining rurality. For example, a residential property in an isolated recreational area, but close to a major roadway, would not be considered to be located in a Class 3 Area.

While examples of a rural setting, described in Publication NPC-232 provide some general guidelines, any classification of a point of reception as being in a Class 1, 2 or 3 Area should be made on an individual basis. The classification can, and should, utilize normally available information on zoning by-laws, official plans, and other policy statements, as well as the future character of the particular piece of land in question and the land in its vicinity.

The standard of environmental noise acceptability for a stationary source is, in general, expressed as the difference between the noise from the source and the background noise. In rural areas, this background noise is formed by natural sounds rather than man-made sounds.

The background noise may also include contributions from existing stationary sources adjacent to the stationary source under impact assessment. Contributions of these secondary stationary noise sources are considered to be a part of the existing noise environment, and may be included in the measurement of the background sound levels, provided that they are not under consideration for noise abatement by the Municipality or the Ministry of Environment and Energy.

In Class 1 and 2 Areas where the acoustical environment is governed primarily by road traffic, the background noise is best described by the energy equivalent sound level (L_{eq}). However, the background noise in Class 3 Areas is often better described in terms of the ninetieth percentile sound level (L_{90}). Therefore, Publication NPC-232 has established both the L_{90} as well as the L_{eq} of the background as the limits against which the intrusion of the source, measured in terms of the L_{eq}, is assessed.

A.2. APPLICATION

Sound level limits contained in this Publication do not apply to non-stationary noise sources nor to any equipment, apparatus or device used in agriculture for food crop seeding, chemical spraying or harvesting. In addition, several specific noise sources have been addressed in separate Publications. Limits for residential air conditioners are contained in Publication NPC-216 - Residential Air Conditioning Devices, Reference [8], and the limits for blasting operations in quarries and surface mines are contained in Publication NPC-119 - Blasting, Reference [7].

A.3. STATIONARY SOURCES

The objective of the definition of a stationary source of sound is to address sources such as industrial and commercial establishments or ancillary transportation facilities. In order to further clarify the scope of the definition, the following list identifies examples of installations, equipment, activities or facilities that are included and those that are excluded as stationary sources.

(1) Included Sources

Individual stationary sources such as:
- Heating, ventilating and air conditioning (HVAC) equipment;
- Rotating machinery;
- Impacting mechanical sources;
- Generators;
- Burners;
- Grain dryers.

Facilities, usually comprising many sources of sound. In this case, the stationary source is understood to encompass all the activities taking place within the property boundary of the facility. The following are examples of such facilities:
- Industrial facilities;
- Commercial facilities;
- Ancillary transportation facilities;
- Aggregate extraction facilities;
- Warehousing facilities;
- Maintenance and repair facilities;
- Snow disposal sites;
- Routine loading and unloading facilities (supermarkets, assembly plants, etc.).

Other sources such as:
- Car washes;
- Race tracks;
- Firearm Ranges.

(2) Excluded Sources

Specific sources or facilities:
- Construction activities;
- Transportation corridors, i.e. roadways and railways;
- Residential air conditioning devices including air conditioners and heat pumps;
- Gas stations;
- Auditory warning devices required or authorized by law or in accordance with good safety practices;
- Occasional movement of vehicles on the property such as infrequent delivery of goods to convenience stores, fast food restaurants, etc.

Other noise sources, normally addressed in a qualitative manner in municipal noise by-laws:
- The operation of auditory signalling devices, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means;
- Noise produced by animals kept as domestic pets such as dogs barking;
- Tools and devices used by occupants for domestic purposes such as domestic power tools, radios and televisions, etc., or activities associated with domestic situations such as domestic quarrels, noisy parties, etc;

Noise resulting from gathering of people at facilities such as restaurants and parks.

Activities related to essential service and maintenance of public facilities such as but not limited to roadways, parks and sewers, including snow removal, road cleaning, road repair and maintenance, lawn mowing and maintenance, sewage removal, garbage collection, etc.

A.4. PREDICTABLE WORST CASE IMPACT

The assessment of noise impact requires the determination of the "predictable worst case" impact. The "predictable worst case" impact assessment should establish the largest noise excess produced by the source over the applicable limit. The assessment should reflect a planned and predictable mode of operation of the stationary source.

It is important to emphasize that the "predictable worst case" impact does not necessarily mean that the sound level of the source is highest; it means that the excess over the limit is largest. For example, the excess over the applicable limit at night may be larger even if the day-time sound level produced by the source is higher.

A.5. DEFINITIONS

In the interpretation of Publication NPC-232, the following definitions are of particular relevance:

- Ancillary Transportation Facilities
  "Ancillary transportation facilities" mean subsidiary locations where operations and activities associated with the housing of transportation equipment (or personnel) take place. Examples of ancillary transportation facilities include, but are not limited to, substations, vehicle storage and maintenance facilities, fans, fan and vent shafts, mechanical equipment plants, emergency services buildings, etc;

- Construction
  "Construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith; "construction" excludes activities associated with the operation at waste and snow disposal sites;

- Construction Equipment
  "Construction equipment" means any equipment or device designed and intended for use in construction, or material handling including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;

- Conveyance
  "Conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;

- Highway
  "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

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- Motor Vehicle
  "Motor vehicle" includes an automobile, motorcycle,and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of diesel, electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;

- Motorized Conveyance
  "Motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;

- Noise
  "Noise" means unwanted sound;

- Point of Reception - Class 3 Area
  "Point of reception - Class 3 Area" means a point on the premises of a person within 30 m of a dwelling or a camping area, where sound or vibration originating from other than those premises is received.

  For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

  For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises;

- Stationary Source
  "Stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance;

- Urban Hum
  means aggregate sound of many unidentifiable, mostly road traffic related noise sources.

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Information to be Submitted for Approval of Stationary Sources of Sound

INFORMATION TO BE SUBMITTED FOR APPROVAL OF STATIONARY SOURCES OF SOUND

PUBLICATION NPC-233

OCTOBER 1995

Ontario

Ministry
of the
Environment

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91.

MINISTRY OF THE ENVIRONMENT

Information to be Submitted for Approval of Stationary Sources of Sound
Publication NPC-233

October 1995

This Publication supplements the Guide to Applying for Approval (Air): Noise and Vibration and specifies information that is to be submitted for approval and/or audit of stationary noise or vibration sources. It replaces Publication NPC-133 "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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1. SCOPE

This Publication is a comprehensive document that specifies technical information to be submitted for approval to operate sources of sound and vibration. It has been developed in order to provide consistency in the submissions and to streamline the review and approval process. The specified information is required for the assessment of sound and vibration impact, in compliance with the provisions of Section 9 of the Environmental Protection Act. The requirements apply to new sources as well as expansion, alteration or conversion of existing sources. Publication NPC-233 does not specify sound and vibration limits; however, proponents are required to demonstrate compliance with the sound and vibration limits, contained in other Publications. References 5, 9 and 11.

Publication NPC-233 also specifies the information to be included in acoustic and vibration audit reports that may be required as part of the approval process.

2. REFERENCES

Reference is made to the following publications:

[1] NPC-101 - Technical Definitions

[2] NPC-102 - Instrumentation

[3] NPC-103 - Procedures

[4] NPC-104 - Sound Level Adjustments

[5] NPC-205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)

[6] NPC-206 - Sound Levels due to Road Traffic

[9] NPC-232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)

[11] NPC-207 - Impulse Vibration in Residential Buildings (draft)

[12] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376, 1989

References 1 to 4 can be found in the
Model Municipal Noise Control By-Law, Ontario Ministry of the Environment, Final Report, August 1978.

3. TECHNICAL DEFINITIONS

"Ambient sound level"
means Background sound level.

"Background sound level"
is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level.

"Class 1 Area"
means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the urban hum.

"Class 2 Area"
means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low background sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- evening background sound level defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources other than from those under impact assessment.

"Class 3 Area"
means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- agricultural area;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

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"Point of Reception"

"Point of reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received.

For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship.

For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises.

"Urban Hum"

means aggregate sound of many unidentifiable, mostly road traffic related noise sources.

Other technical terms are defined in Reference 1.

4. MEASUREMENT AND CALCULATION PROCEDURES

References 3 and 9 contain the applicable measurement procedures. References 6 and 12 contain the required road traffic noise measurement and calculation procedures. Reference 11 contains the applicable procedure for the measurement of impulse vibration.

5. LIMITS

The applicable sound level limits are contained in References 5 and 9. Reference 11 contains the applicable limits for impulse vibration. Continuous vibration is assessed using state-of-the-art criteria.

6. INFORMATION TO BE PROVIDED

The following sections detail the required information. For simple noise sources, the mandatory information specified in Section [7] is usually sufficient. For complex or multiple noise sources, the mandatory information must be supplemented by acoustical information contained in Section [8]. The information for the complex and multiple noise sources should be submitted in the form of an acoustical report prepared by a qualified acoustical consultant.

Section [9] details the required information for vibration sources. In the majority of cases, vibration information should be submitted in the form of a report prepared by a qualified vibration consultant.

7. MANDATORY INFORMATION

The mandatory information, that must be supplied in all cases, is expected to describe the basic physical and operational characteristics of the noise/vibration source, as well as its relationship to the closest points of reception. The purpose of this information is to allow the determination of the potential noise or vibration impact.

The mandatory information should consist of data such as the description of the equipment/facility and operation, operating hours, land use zoning designation of the surrounding area, area location plan, location and distance to points of reception, relevant architectural and mechanical drawings and details of any noise and vibration control measures.

Details of mandatory information requirements are contained in the Guide to Applying for Approval (Air): Noise and Vibration[1].

8. ACOUSTICAL REPORTS

The following list contains items that should be included in acoustical reports, in addition to the mandatory information:

(1) Source

The following information relating to the source or combination of sources is required:

- Time varying characteristics of generated sound (steady or intermittent);
- Tonal characteristics;
- Impulsive characteristics;
- Directivity pattern of proposed source;
- Measurement techniques and equipment used for evaluation of source emission;
- Octave or 1/3 octave sound power levels for the sources where available; or
- Octave or 1/3 octave sound pressure levels generated by the sources including measurement conditions, procedure and location of measurement points.

(2) **Receptor**

The following information is required at critical points of reception:

- One Hour Equivalent Sound Level (L_{eq}) of the source. For multiple sources or sources generating intermittent or time-varying sound, the hourly L_{eq} over a minimum period of 24 hours or for the operating cycle of the source, whichever is shorter, should be provided;
- Logarithmic Mean Impulse Sound Level (L_{LM}) of the source, if applicable;
- Prevailing meteorological conditions such as wind direction and speed, temperature inversion, etc.;
- For a location in a Class 3 Area, the existing One Hour Ninetieth Percentile Sound Level (L_{90}) of the background sound level at points of reception, obtained through monitoring over a minimum period of 48 hours. The monitoring should be conducted during times when the background sound level is at its lowest level. The lowest hourly L_{90} value should be selected to represent the background sound level;
- For all Areas, the existing One Hour Equivalent Sound Level (L_{eq}) of the background sound level obtained either by prediction or through monitoring over a minimum period of 48 hours. The monitoring should be conducted during times when the background sound level is at its lowest level. The lowest hourly L_{eq} value should be selected to represent the background sound level;
- Sound level using other specialized descriptors.

(3) **Mitigation Measures**

The following information is required when noise mitigation measures are used:

- Where sound sources are silenced, enclosed or shielded by barriers, the location, dimensions, structural details and material used;
- The specification of abatement equipment and materials such as, transmission loss, insertion loss and noise reduction;
- If the devices are standard catalogue items, indication of the manufacturer's make and model number;
- If alternative measures for noise abatement are proposed, a full description of the alternatives, administrative steps, changes in operational procedure or structural alterations, should be provided.

---

[1] Guide to Applying for Approval (Air): Noise and Vibration, Ministry of Environment and Energy, 1995

(4) **Acoustic Mapping**
Proposals for large manufacturing and/or process plants or industrial complexes where a multitude of sources exist require acoustical reports containing elaborate analysis of the noise impact. The impact reports should include sound level mapping in addition to the information specified in Section [6].

The sound level mapping should include the existing level of road traffic in the vicinity of the proposed installation and the increase in such traffic due to the plant's operation, projected for a period of at least ten years into the future.

(5) **Calculations**
All necessary supporting calculations.

9. VIBRATION REPORTS

The following list contains items that should be included in vibration reports, in addition to the mandatory information:

(1) **Source**
The following information relating to the source or combination of sources is required:

- Relevant specification of the proposed vibration source(s) including type, model number, weight and weight distribution, dimensions relative to centre of gravity and number of mounting points;
- Operating characteristics of the source(s) such as RPM or strokes per minute;
- Type and description of surface upon which the source(s) is to be mounted;
- Sub-soil conditions, if known.

(2) **Receptor**
The following information is required at critical point(s) of reception:

- Physical and topographical description of the ground between the source(s) and point(s) of reception;
- Structural description of the buildings considered as a point of reception;
- Peak or RMS Vibration Velocity in millimetres per second, as applicable, including information on location of vibration transducer, using a sketch if necessary.

(3) **Mitigation Measures**
The following information is required when vibration mitigation measures are used:

- The description and specification of vibration isolation equipment and materials such as dynamic natural frequency, stiffness, damping factor and static deflection;
- If the vibration control equipment are standard catalogue items, manufacturer's make and model number;
- If alternative measures for vibration control are proposed, a full description of all alternatives, administrative steps, changes in operational procedure or structural alterations, should be provided.

(4) **Calculations**

- All necessary supporting calculations

10. REPORT FORMAT

The report must contain the required information, organized in a clear and concise manner. The report should include the following sections in the given sequence:

- Introduction (Background Information)
  such as description of the site, acoustic environment, sound/vibration sources, etc;
- Impact Assessment
  including applicable criteria, and results of pre- and post-abatement assessment at the critical points of reception due to individual as well as combined sources;
- Mitigation Measures
  description and assessment of acoustic performance;
- Conclusions and Recommendations
  summary of impacts, verification of compliance with limits and control measures;
- Appendices, etc.
  details of measurements and calculations, specifications, plans, engineering drawings, etc.

11. APPROVAL OF ABATEMENT MEASURES

Abatement (mitigation) measures planned to alleviate existing noise/vibration problems are also subject to approval under Section 9 of the Environmental Protection Act.

12. ACOUSTIC AUDIT

The following represents the information which must be provided in an acoustic audit report:

(1) Acoustic Environment

- Location and description of sound sources in the equipment/facility subject to the acoustic audit;
- Dimensioned sketch including the location of equipment/facility and point(s) of reception showing all buildings and structures as well as physical and topographical description of the ground surface between the source and the measurement location(s);
- A brief description of the acoustic environment on the site, listing all significant sound sources including equipment/facility and other extraneous sources. Details of operating conditions of sound sources in the equipment/facility must be provided;
- Details of meteorological conditions at the site during the acoustic audit measurements, including wind speed, wind direction, temperature and relative humidity.

(2) Instrumentation

Details of all equipment used for acoustic audit measurements, including:

- Type and model of sound level meter, microphone, acoustic calibrator or any frequency analyzer or recording device, if used;
- Extension cables and additional amplifier, if used.

(3) Acoustical Data

Details of the sound level measurements including:

- Location of the microphone, using a sketch if necessary;
- Date and time period of measurements;
- Details of measurement procedure;
- Results of background sound level measurements in terms of the Hourly equivalent sound level L_{eq} and/or L_{90}, as applicable, carried out at points of reception, preferably listed in a tabular form, referencing location on a sketch;
- Results of sound level measurements due to individual sources, preferably summarized in a table;

- Results of sound level measurements due to operation of equipment/facility carried out at points of reception in terms of relevant acoustical descriptors;
- Adjustments made for special quality of sound;
- All necessary supporting calculations.

(4) **Assessment of Compliance**

- Comparison between the measured (adjusted, if applicable) sound levels and the applicable limits;
- Assessment of effectiveness of noise control measures included in the equipment/facility in reducing noise to applicable limits;
- Details of analysis of the effect of meteorological conditions on results of the acoustic audit measurements, if applicable.

13. VIBRATION AUDIT

The following represents the information which must be provided in a vibration audit report:

(1) **Vibration Environment**

- Location and description of vibration source(s) in the equipment/facility subject to the audit;
- Dimensioned sketch including the location of equipment/facility and point(s) of reception including the description of the ground between the source(s) and measurement location(s). Details of operating conditions of vibration source(s) in the equipment/facility must be provided;
- Structural description, including photographs if necessary, of the interior and exterior of the residential buildings where measurements were carried out;
- Details of meteorological conditions at the site during the vibration audit measurements, including the condition of the ground, such as moisture content, snow coverage, etc.

(2) **Instrumentation**

Details of all equipment used for vibration audit measurements, including:

- Type and model of vibration meter, transducer, vibration calibrator or any frequency analyzer or recording device, if used;
- Extension cables and additional amplifier, if used.

(3) **Vibration Data**

Details of vibration of vibration measurements including:

- Location of vibration transducer, using a sketch if necessary;
- Date and time period of measurements;
- Details of measurement procedure;
- Results of measurement in terms of the Peak or RMS, as applicable, Vibration Velocity in millimetres per second carried out at point(s) of reception, preferably listed in a tabular form referencing location on a sketch;
- All necessary supporting calculations.

(4) **Assessment of Compliance**

- Comparison between the measured vibration levels and the applicable limit;
- Assessment of effectiveness of vibration control measures included in the equipment/facility in reducing vibration to applicable limits.

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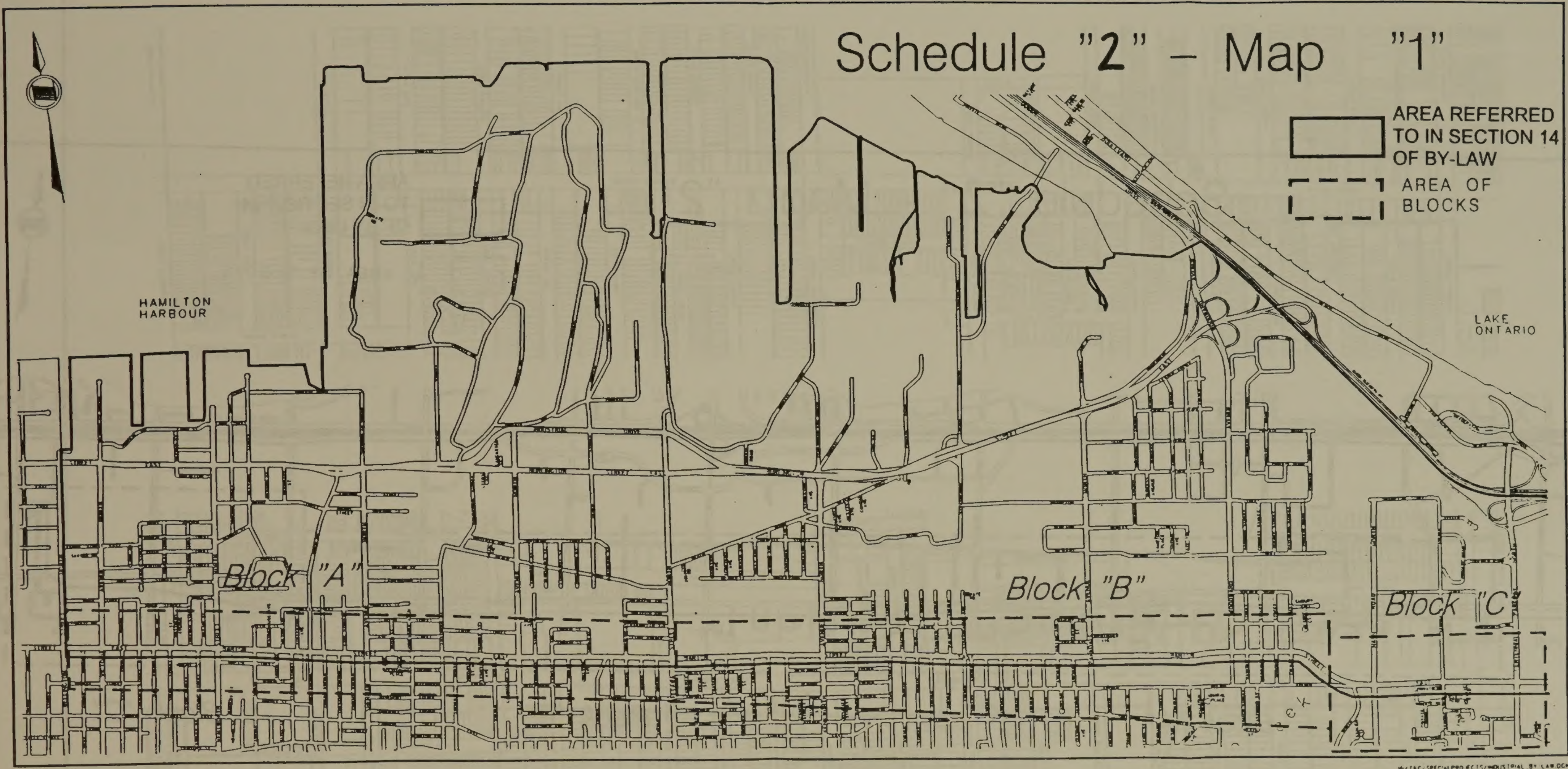
SCHEDULE “2”

To By-law No. _______

Schedule "2" - Map "1"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LAKE ONTARIO
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Block "B"
Block "C"

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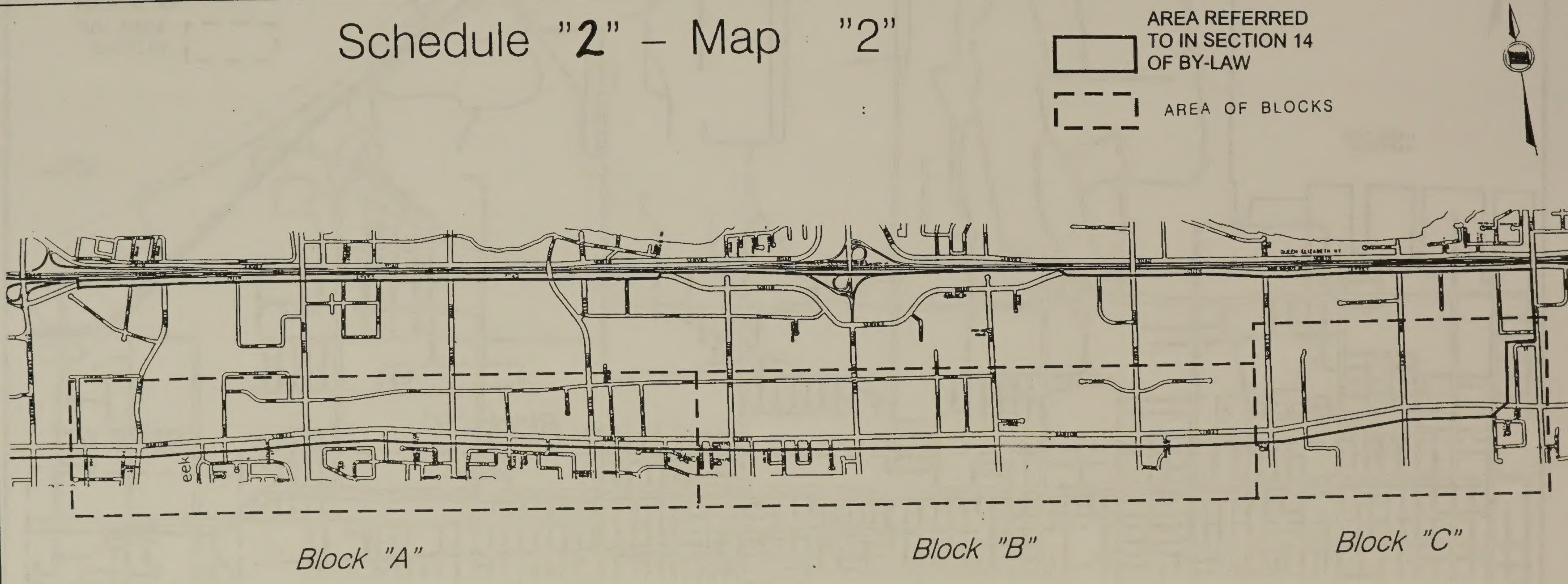
2

Schedule "2" – Map "2"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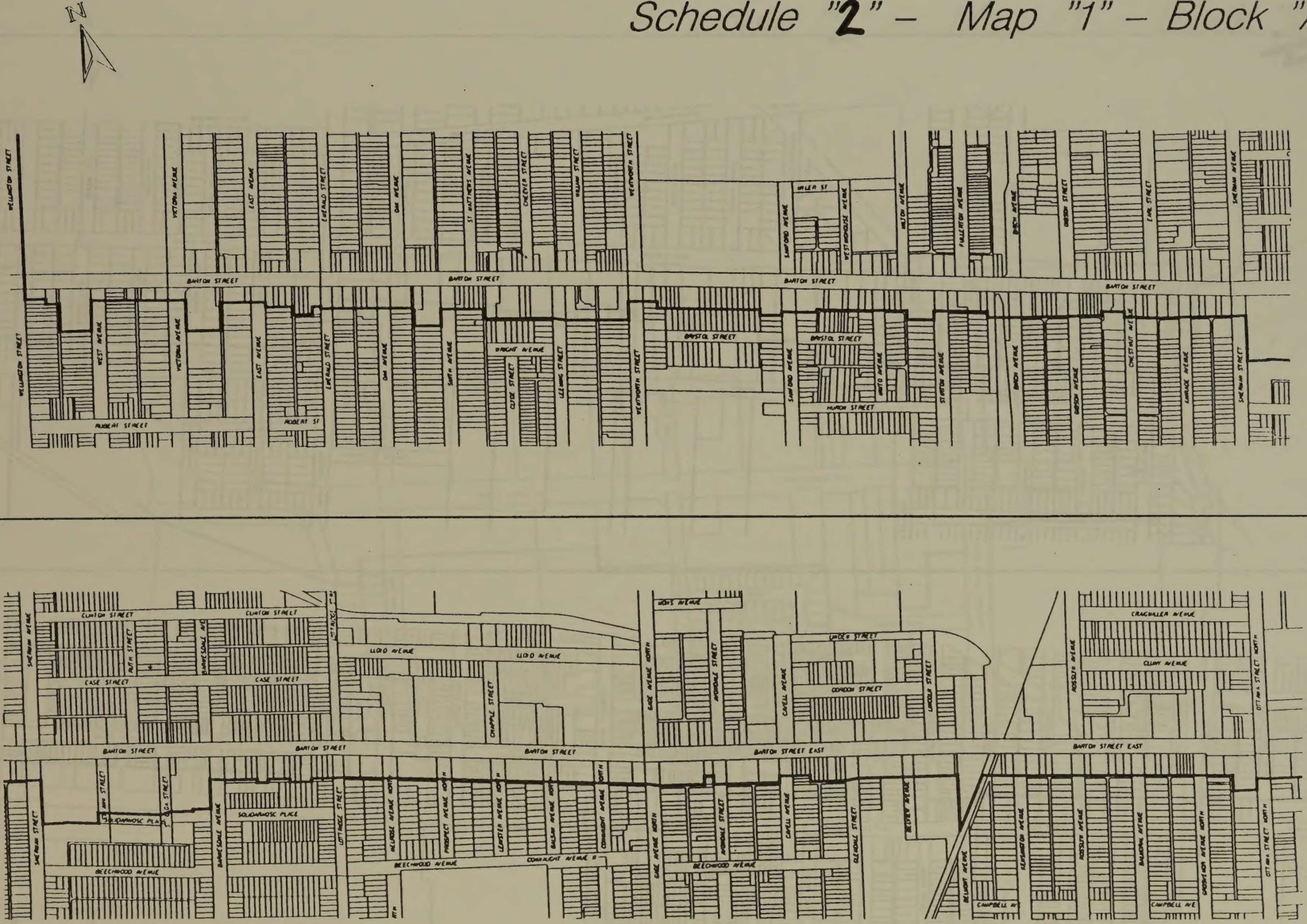
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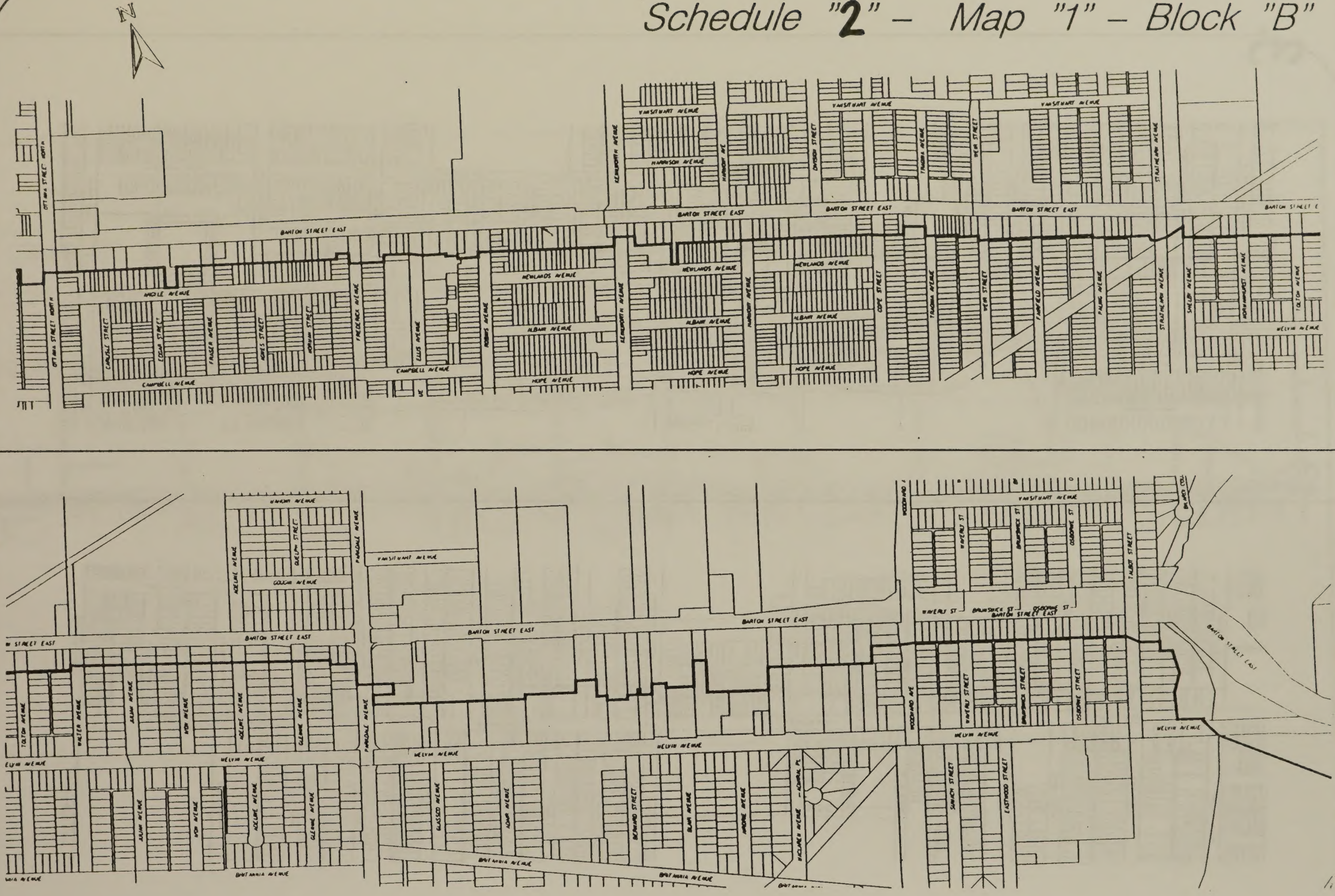
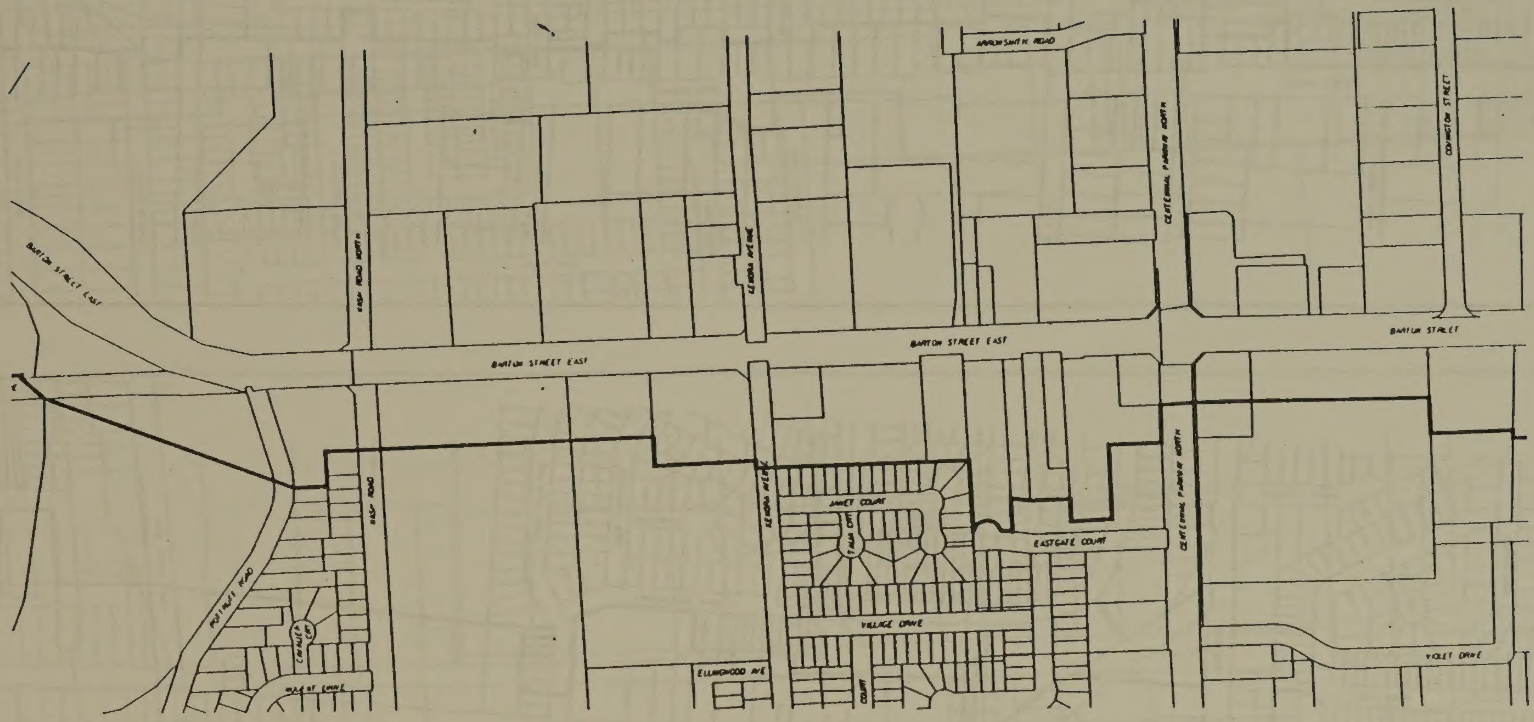
VICTORIA AVENUE
EAST AVENUE
EMERALD STREET
OAK AVENUE
ST MATTHEWS AVENUE
CHEEVER STREET
WENTWORTH STREET
SANFORD AVENUE
WESTINGHOUSE AVENUE
MILLER ST
HILTON AVENUE
FULLERTON AVENUE
BIRCH AVENUE
GIBSON STREET
EARL STREET
SHERMAN AVENUE
BARTON STREET
WEST AVENUE
ROBERT STREET
ROBERT ST
SMITH AVENUE
WRIGHT AVENUE
CLYDE STREET
LEEMING STREET
BRISTOL STREET
HURON STREET
STINSON AVENUE
GIBSON AVENUE
CHESTNUT AVENUE
SHERMAN STREET
CLINTON STREET
CASE STREET
RUTH STREET
BARNESDALE AVENUE
LLOYD AVENUE
CHAPPLE STREET
GAGE AVENUE NORTH
AVONDALE STREET
CAVELL AVENUE
UNDER STREET
GORDON STREET
LINCOLN STREET
ROSSLYN AVENUE
CRAIGMILLER AVENUE
CLIMT AVENUE
OTTAWA STREET NORTH
BARTON STREET EAST
SOLIDARNOSC PLACE
BEECHWOOD AVENUE
LOTTRIDGE STREET
MELROSE AVENUE NORTH
PROSPECT AVENUE NORTH
LEINSTER AVENUE NORTH
BALSAM AVENUE NORTH
CONNAUGHT AVENUE NORTH
CONNAUGHT AVENUE
GLENDALE STREET
BELVIEW AVENUE
BELMONT AVENUE
KENSINGTON AVENUE
BALMORAL AVENUE
GROSVENOR AVENUE NORTH
CAMPBELL AVE

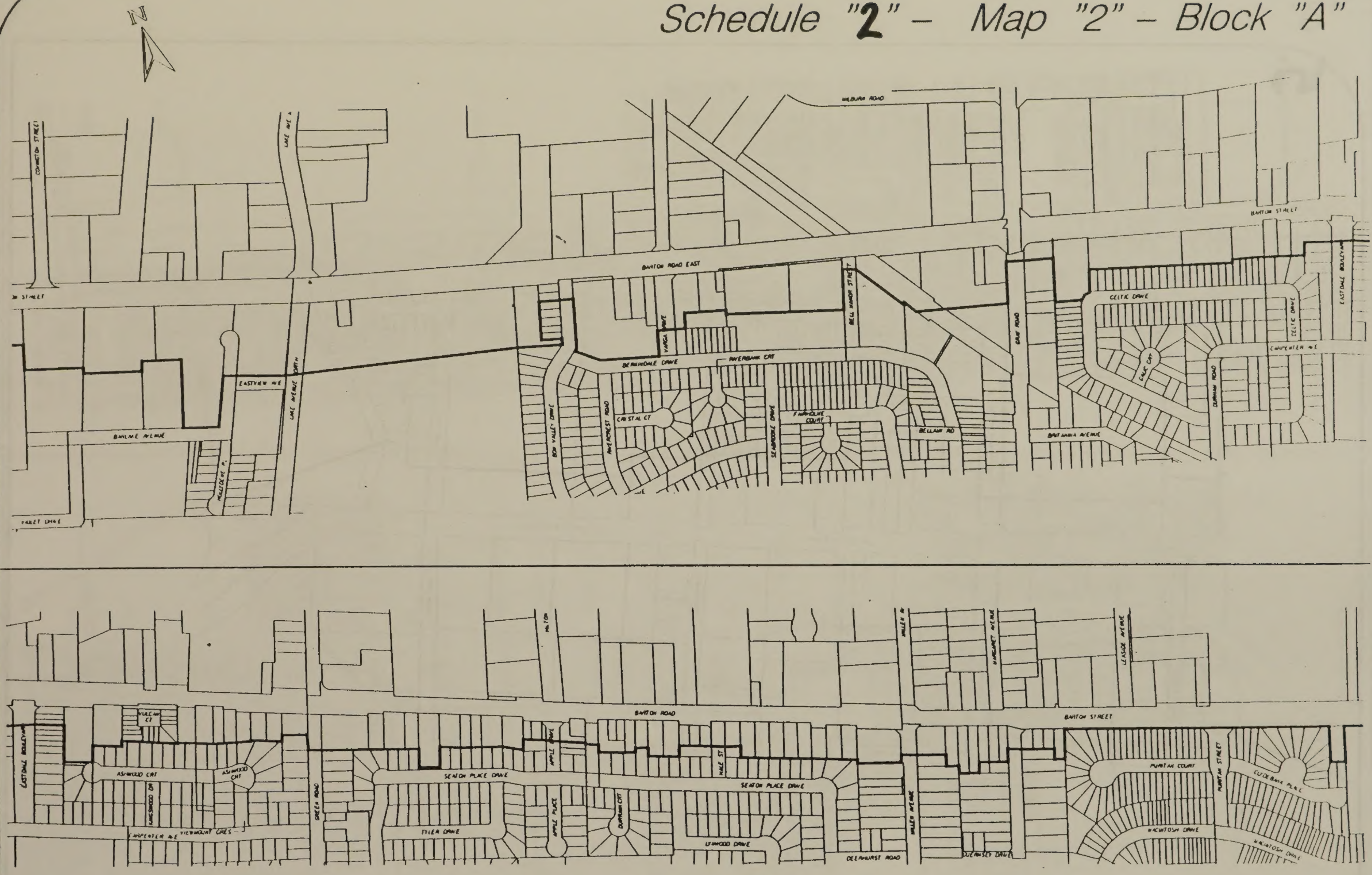
Schedule "2" - Map "1" - Block "B"


N
OTTAWA STREET NORTH
BARTON STREET EAST
ARGYLE AVENUE
CARLISLE STREET
EDGAR STREET
FRASER AVENUE
HOWES STREET
NORMAN STREET
CAMPBELL AVENUE
FREDERICK AVENUE
ELLIS AVENUE
ROBINS AVENUE
NEWLANDS AVENUE
ALBANY AVENUE
HOPE AVENUE
KENILWORTH AVENUE
VANSITTART AVENUE
HARRISON AVENUE
HARMONY AVE
HARMONY AVENUE
DIVISION STREET
COPE STREET
TRAGINA AVENUE
WEIR STREET
FAIRFIELD AVENUE
PALING AVENUE
STRATHEARN AVENUE
SHELBY AVENUE
ROXBOROUGH AVENUE...
TOLTON AVENUE
MELVIN AVENUE
BARTON STREET E
BARTON STREET EAST
TOLTON AVENUE
WALTER AVENUE
JULIAN AVENUE
VON AVENUE
ADELINE AVENUE
GLENDALE AVENUE
ELGIN AVENUE
MELVIN AVENUE
BRITANNIA AVENUE
BARON AVENUE
GUELPH STREET
GOUGH AVENUE
PARKDALE AVENUE
VANSITTART AVENUE
GLASSCO AVENUE
ADAIR AVENUE
BERNARD STREET
BLAIR AVENUE
ANDRE AVENUE
MACLAREN AVENUE
ADMIRAL PL
WOODWARD AVE
WAVERLY STREET
BRUNSWICK STREET
OSBORNE STREET
WAVERLY ST
BRUNSWICK ST
OSBORNE ST
TALBOT STREET
SUNRICH STREET
EASTWOOD STREET
BLAKE COLL
BARTON STREET EAST

Schedule "2" - Map "1" - Block "C"


BARTON STREET EAST
NASH ROAD NORTH
KENORA AVENUE
ARROWSMITH ROAD
CENTENNIAL PARKWAY NORTH
COVINGTON STREET
BARTON STREET EAST
BARTON STREET
POTTRUFF ROAD
CAVALIER CRT
MARGOT LANE
NASH ROAD
ELLINGWOOD AVE
KENORA AVENUE
JANET COURT
TALIA CRT
VILLAGE DRIVE
COURT
EASTGATE COURT
CENTENNIAL PARKWAY NORTH
VIOLET DRIVE

Schedule "2" - Map "2" - Block "A"


N
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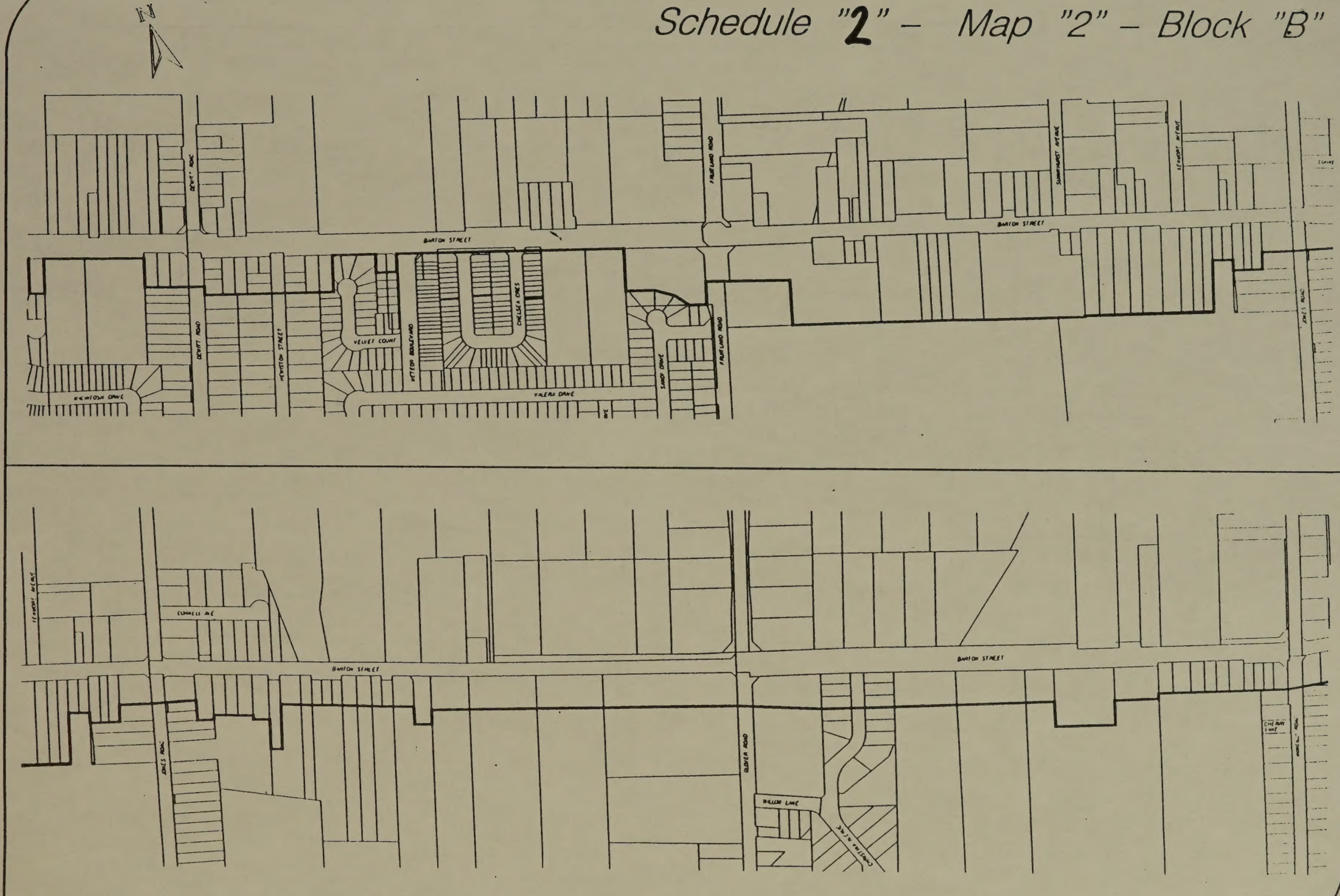
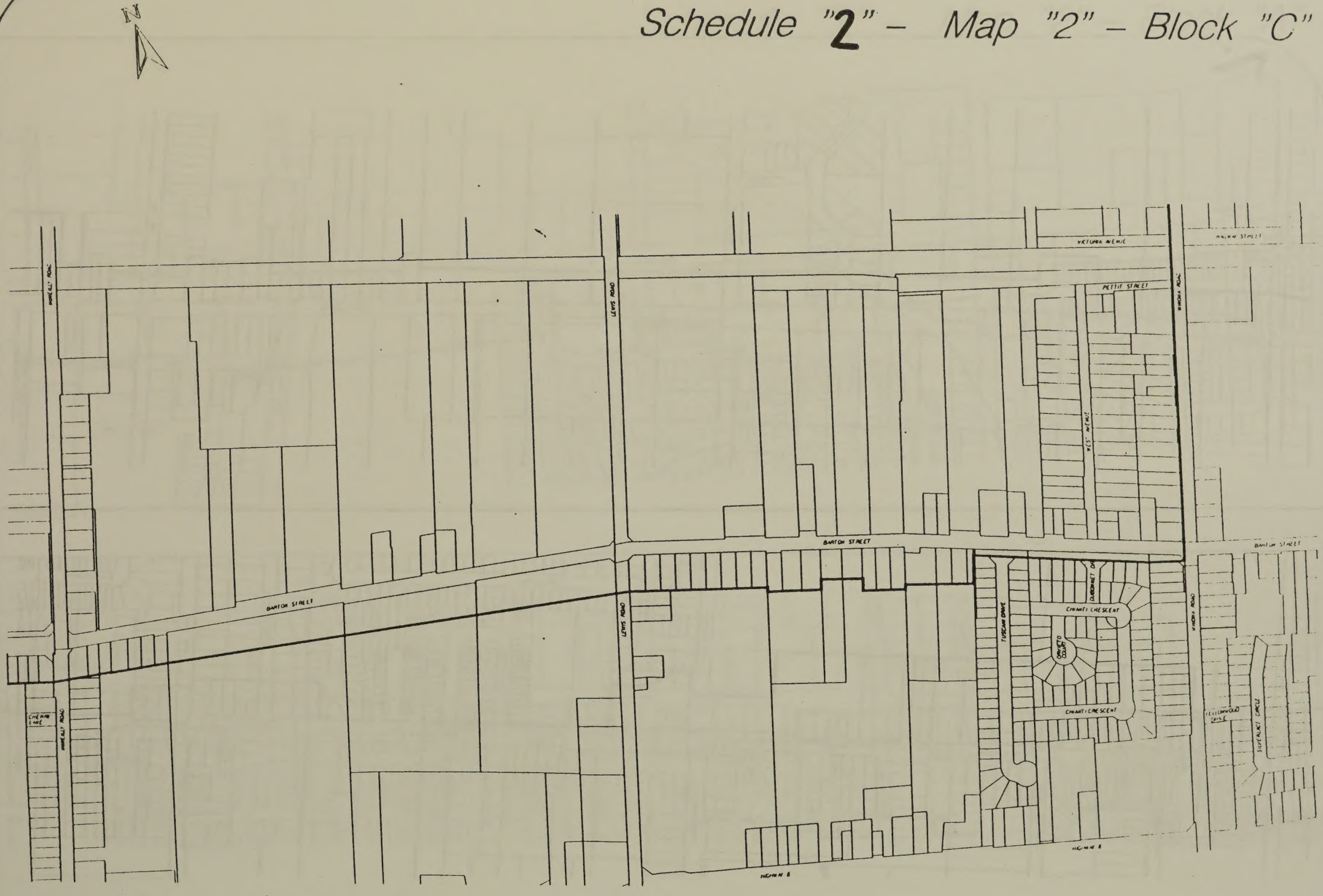
BARTON STREET
BARTON ROAD EAST
EASTDALE BOULEVARD
CELTIC DRIVE
CARPENTER AVE
GALE CRT
DURHAM ROAD
BRITANNIA AVENUE
GRAY ROAD
BELL MANOR STREET
BELLAMY RD
FAIRHOLME COURT
SEABROOKE DRIVE
RIVERBANK CRT
BEACHDALE DRIVE
VARGA DRIVE
CRYSTAL CT
RIVERCREST ROAD
BOW VALLEY DRIVE
LAKE AVENUE NORTH
LAKE AVE N
EASTVIEW AVE
BANLMAR AVENUE
HILLSDALE PL
CORNWALL STREET
STREET
VALLEY DRIVE
VULCAN CT
ASHWOOD CRT
ASHWOOD CRT
KINGSWOOD DR
CARPENTER AVE
VIEWMOUNT CRES
GREEN ROAD
SEATON PLACE DRIVE
TYLER DRIVE
APPLE DRIVE
APPLE PLACE
DURHAM CRT
MILTON
HALE ST
SEATON PLACE DRIVE
LYNWOOD DRIVE
DEERHURST ROAD
VALLEN AVENUE
MARGARET AVENUE
DUNSLEY DRIVE
LEASIDE AVENUE
BARTON ROAD
BARTON STREET
PURITAN COURT
PURITAN STREET
CUDEBANK PLACE
MACINTOSH DRIVE
MACINTOSH DRIVE

Schedule "2" - Map "2" - Block "B"


N
DEWITT ROAD
BARTON STREET
FRUITLAND ROAD
SUNNYHURST AVENUE
JONES ROAD
MACINTOSH DRIVE
VELVET COURT
CHELSEA CRES
VALERA DRIVE
SANDY DRIVE
CUNNELL AVE
GLOVER ROAD
WILLOW LANE
CHERRY LANE

Schedule "2" - Map "2" - Block "C"


N
VICTORIA AVENUE
PETTIT STREET
WEST AVENUE
WINONA ROAD
BARTON STREET
LEWIS ROAD
McNEILLY ROAD
CHERRY LANE
DUBONNET DR
CHIANTI CRESCENT
ORVIETO COURT
TUSCAN DRIVE
SILVERLACE CIRCLE
HIGHWAY 8

SECTION 7

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.1

COMMUNITY SERVICES DEPARTMENT
Emergency Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager
Date:	August 29, 2002	**Prepared by:**	Glen Peace (905) 546-3341

SUBJECT: City of Hamilton User Fee By-law for Fire Prevention and Suppression Services (CS02081) (City Wide)

RECOMMENDATION:

a) That By-law No. 5110-00, passed by The Corporation of the City of Stoney Creek, namely "To Establish Fees to be Charged for Fire Department Services and Rescue Operations", be hereby repealed;

b) That By-law No. 96-53-F passed by the Town of Flamborough, namely, "A By-law to Establish a Fee Structure for Charging Fees for Emergency Services Response and Action for Fires Intentionally Set within the Town of Flamborough by Persons who do not Obtain an Open Air Burning Permit or Who Are In Violation of the Rules of the said Permit", be hereby repealed;

c) That By-law No. 97-085, passed by The Corporation of the City of Hamilton, namely, "A By-law to Enact User Fees for The Hamilton Fire Department:, be hereby repealed;

d) That the City of Hamilton User Fee By-law for Fire Prevention and Suppression Services, attached hereto report CS02081 as **Appendix A**, be passed and enacted to provide Fees for Service and Cost Recovery by the Hamilton Emergency Services – Fire in the City of Hamilton.

William E. Fenwick, Acting General Manager
Community Services Department

EXECUTIVE SUMMARY:

At present there are three By-laws in effect within the various districts of the City of Hamilton, which regulate user fees charged for various services provided by Hamilton Emergency Services – Fire. These three By-laws are in the former municipalities of

Hamilton, Stoney Creek and Flamborough. The former Town's of Ancaster and Dundas did not have By-laws, however fees to be charged for various services were approved by their respective councils. The former Township of Glanbrook had limited user fees for Fire Department Services. These fees encompass both fire prevention related activities as well as emergency response activities.

The passing of this new By-law will essentially result in the replacement of three By-laws and other approved fee structures with one, having force and effect throughout the "New" City. The benefits include having one standard fee per service which creates less confusion for the public and staff, increased safety with the establishment of new fees designed to ensure proper maintenance of life safety systems, and greater administrative efficiency as the result of having only one set of regulations to enforce.

Enacting the proposed new "User Fee By-law will allow the Hamilton Emergency Services - Fire to charge uniform fees throughout the "New" City and to partially recover costs associated with providing varied services to the public.

BACKGROUND:

The recommendations/information contained in report CS02081 have City Wide implications.

The City of Hamilton Act, 1999, S.O. 1999 Chapter 14, Schedule C Incorporated, as of January 1st, 2001, the municipality "City of Hamilton"; and provides that:

a) The City of Hamilton is the successor to the former area municipalities of the Corporation of the Town of Ancaster; the Corporation of the Town of Dundas; the Corporation of the Town of Flamborough; the Corporation of the Township of Glanbrook; the Corporation of the City of Hamilton; the Corporation of the City of Stoney Creek; and the Regional Municipality of Hamilton-Wentworth;

b) The By-laws of the former area municipalities and the regional municipality are to continue in force and effect within the geographic boundaries representing the enacting municipality, until subsequently amended or repealed by the Council of the City of Hamilton.

In January 1996, the Ontario Government passed the Savings and Restructuring Act, 1996 (the Omnibus Bill). In general terms, this Act provided municipalities with more authority and flexibility to arrange their services and to manage their costs and expenditures. Under this Act, municipalities were given specific power to pass By-laws setting fees for service within their municipalities. These proposed user fees are calculated on a cost recovery basis and will assist in the reduction of operational costs of Hamilton Emergency Services – Fire. It is important to understand that these fees for services and cost recovery are intended only to offset some or all of the costs in delivering services and will not in any way compromise access by the public to fire protection services. In addition, these fees will not in any manner, jeopardize public fire safety.

Area Fire Departments were all charging for inspection services, some administrative requests and some emergency responses. It is our intention to rationalize the fees charged by all areas into one uniform system that will be administered by the Hamilton Emergency Services – Fire.

An overview of fees to be charged is as follows:

A1. INSPECTIONS – 10% INCREASE TO EXISTING FEES

Fire Prevention Staff conduct routine general inspections of select specialized occupancies (i.e. hospitals, nursing homes, recycling facilities, large industry, hotels, schools, high-rise etc.). Fire conducts inspections of these specialized occupancies on a frequency which ranges from 1 to 4 years based upon a general risk assessment. In the year 2001, there were 2,277 general inspections conducted by fire inspectors and firefighters in the City of Hamilton. There is presently no fee charged for these inspections as they form part of this Department's general mandate to enforce fire safety, nor are we proposing that a fee be charged.

Inspection requests are presently charged a fee designed to recover costs associated with providing the service when it benefits a specific individual and/or organization, rather than our community as a whole (i.e.: property sales transactions, liquor licences, Provincial licencing/accreditation, etc.).

In 2001, fees charged by Hamilton Emergency Services - Fire for various fire prevention related services, resulted in a revenue of $92,969.34. Hamilton's fees have not changed since 1997. It is proposed that the new City of Hamilton establish inspection fees which allow for an inflationary increase of approximately 10% to the 1997 fees and which are also comparable to fees being charged by other like-sized municipalities in the Province. The proposed increases would result in projected revenue of $102,266 based on 2001's volume of requests for service.

PROPOSED NEW FEES:

B1. FIREWORKS PERMIT FEE FOR SALES:

The existing Fireworks By-law contains no provisions that deal with approving locations that sell family fireworks. At the present time, any retail outlet within the City of Hamilton that chooses to sell fireworks can do so. Any citizen that resides in the City of Hamilton can rent out a retail space and sell family fireworks from that location. An individual, who does not reside in the City of Hamilton, is required to get a Transient Traders permit from the Licencing Division, at a cost of $500 in order to sell fireworks. This permit is effective for three months from time of purchase. There is presently no notification to Hamilton Emergency Services - Fire of locations where fireworks are sold. In dealing with these retail outlets over the years, it is apparent that many storeowners/clerks do not understand the hazards associated with the fireworks they are selling. In May of 1989, family fireworks located in a variety store on King Street East in Hamilton were ignited, resulting in the total loss of the store. Had this storage of family fireworks, been in compliance with the existing Fireworks By-law, this total loss may have been averted.

It is, therefore, recommended that citizens wanting to sell family fireworks from a retail location or a trailer in the City of Hamilton be required to apply for a family fireworks sales permit. This permit application would initiate an inspection by an Inspector from the Fire Prevention Division to ensure compliance with the Fireworks By-law. This inspection would also involve an educational component to ensure that the retailer understands the inherent hazards associated with the sale of fireworks. The permit would allow the sale of family fireworks during both time frames as described in the Fireworks By-law. It is recommended that a fee of $150 be applied to the permit application for stores and $300 be applied to the permit application for trailers. These permit fees would recover costs associated with the inspection by Hamilton Emergency Services - Fire. Public safety will be enhanced by ensuring the storage and sale of family fireworks is done safely and in conformance with the Fireworks By-law. It is estimated that there are approximately 80 stores in the new City of Hamilton that would sell fireworks and approximately 10 trailers that would be involved in the sale of family fireworks. Based upon these numbers, the projected revenue is estimated at $15,000.

B2. RE-INSPECTION FEE

A new user fee for re-inspections is proposed for Hamilton Emergency Services - Fire in the City of Hamilton. A fee would be charged to building owners when re-inspections are required for outstanding violations which are not initially complied with on the noted compliance date.

This user fee would promote more timely compliance with Fire Service requirements by imposing an automatic fee for re-inspections when in non-compliance with a Fire Code or other municipally legislated Fire Service requirement.

This type of fee was implemented in the former City of Stoney Creek and was a recommendation of the Transition Board's Licensing, Inspections and By-law Enforcement Task Force Committee.

The following chart shows how this fee would be applied:

FIRE INSPECTION
(with compliance date specified)
⇩
1st ***Re-inspection*** Compliance ⇨ ***NO FEE*** ⇨
(after compliance date)
⇩
Non Compliance
⇩
2nd Re-inspection - $50
⇩
Non Compliance
⇩
3rd Re-inspection - $50
Additional re-inspections add $50

Note: Ontario Fire Code prosecution is also possible at any re-inspection stage

The re-inspection fee would be based on partial cost recovery (based on staff time spent) and would only apply to owners who have not brought their buildings up to standards in appropriate time frames. A fee of $50 is proposed for the second and each subsequent re-inspection after non-compliance.

Bernie Moyle, the Fire Marshal of Ontario states that any user fee, "should be encouraged if it has the potential to improve public fire/life safety". This fee has that potential as it provides a financial incentive to comply with Fire Department requirements in a timely fashion. Compliance with Fire Department requirements increases public safety through their conformance with recognized Fire Safety legislation. Quick compliance with Fire Service requirements frees up our resources which would have otherwise been used to follow up on outstanding requirements. These resources can be better used at other buildings to ensure broader compliance with the Fire Code and other related fire safety standards throughout the City and to pursue proactive Public Education initiatives.

Implementation of this fee will allow collections to be done through the Treasury Department and any unpaid fees to be added to the taxes, which is allowed for in the Municipal Act, section 220.1.

This new fee has the potential to generate approximately $87,000 per year. This figure is based on re-inspection numbers from the City of Hamilton for the year 2001. It is anticipated the revenue would decrease in subsequent years as owners become accustomed to complying with the Fire Code without prompting by Fire Service re-inspections. This reduction in revenue would be offset by greater compliance with the Fire Code and, therefore, a safer community.

B3. FALSE ALARM FEE

A user fee is proposed for emergency responses for non-notified and other false alarms. Many municipalities have established user fees for "false alarms". The Hamilton Emergency Services - Fire recognizes that there may be reasons both for and against the charging of this fee. Those reasons are as listed below:

Reasons for charging for false alarms:

1) Any revenue generated can be utilized to offset costs incurred for needless responses.

2) When a building owner is charged a fee for a false alarm they will be motivated to correct the problem or to take proactive actions to correct the false alarm from recurring.

3) A building owner will be additionally motivated to properly maintain their life safety system or device to prevent any user fees from being assessed.

Reasons against charging for false alarms:

1) Fees charged for false alarms are usually charged when an alarm is "preventable". This determination requires an inspection to take place which takes significant time and often is not an effective use of manpower. In addition most municipalities allow a variable number of false alarms to be had without penalty. The tracking of whether or not the alarm was preventable and the number that a specific address has had can also be a poor use of resources and has the potential to eat up the revenue generated from any User Fee.

2) Building owners can be charged fees when false alarms are out of their control. i.e. - technical difficulties or vandalism.

3) A charge for false alarms can create costly and potentially life threatening delays or even neglect from an owner to call the Fire Department due to fears of being charged for a false alarm response.

The reasons for charging a fee for false alarms outweigh the reasons against in terms of the service we want to deliver to our customers.

A goal of Hamilton Emergency Services - Fire is to reduce and eliminate false alarms. False alarms are recognized as a safety risk to firefighters and responding emergency personnel, an unnecessary inconvenience to innocent people and a toll on the taxpayers. In the year 2001 Hamilton Emergency Services - Fire responded to approximately 3,426 false alarms. The User Fee By-law will require building owners to notify either their alarm monitoring company or the Communications Division of the Hamilton Emergency Services - Fire prior to undertaking any work on a life safety system. When the vehicles, equipment and personnel of the Hamilton Emergency Services - Fire respond to a false alarm that is the result of a failure to notify as described above, a fee of $500 will be charged for each occurrence. It is estimated that there are approximately 60 occurrences each year that could be classified as non-notified false alarms. Potential revenue is, therefore, estimated at approximately $30,000.

A fee will also be charged for continuous false alarms. These are alarms to which the Hamilton Emergency Services - Fire responds which are caused by life safety systems or devices such as fire alarm systems, smoke alarm systems, smoke alarms, carbon monoxide detectors and sprinkler systems. If a building has four or more false alarms in any calendar month, a $350 fee for the fourth false alarm and any subsequent false alarms that month will be charged. In addition, a fee of $350 will be charged to a building owner if they have six or more false alarms within a calendar year. It is estimated that Hamilton Emergency Services - Fire respond to 60 multiple false alarms each calendar year. This represents a potential revenue of $21,000.

B4. NON-RESIDENT MOTOR VEHICLE RESPONSES

It is proposed that Hamilton Emergency Services - Fire charge a fee for responses to incidents on city streets involving motor vehicles ***owned by residents living outside of the City of Hamilton.*** Many other Fire Departments in the Province of Ontario already have this user fee in place. The citizens of the City of Hamilton pay for services provided by Hamilton Emergency Services - Fire through their municipal taxes. Residents who reside outside of the City of Hamilton may presently receive some of those same services at no cost to themselves, but obviously at a cost to the resident taxpayer. Hamilton Emergency Services - Fire responded to approximately 1,088 incidents (Note: this number does not include highway responses) during the year 2001 that involved motor vehicles. It is estimated that approximately 5% of those responses involved vehicles owned by someone living outside of the City of Hamilton. The proposed fee to be charged is based upon the established Ministry of Transportation rates that are presently billed for responses on Provincial highways. The rate would be $350 per piece of equipment for the first hour or part thereof and $175 per piece of equipment for each additional half-hour or part thereof. Based on these numbers, it is estimated that revenue of approximately $19,000 may be generated. With respect to revenues generated by other Fire Departments as the result of this user fee, some figures that have been obtained are as follows:

- City of London: recovered approximately $25,000 in the year 2001
- City of Oakville: recovered approximately $45,115 in 2001
- City of Mississauga: recovered approximately $150,000 in the year 2001
- City of Burlington: recovered approximately $35,000 in the year 2001

This proposed fee is intended to offset some or all of the costs in delivering a service to a non-resident of the City of Hamilton. The overall costs for providing emergency services to resident taxpayers are minimized by shifting specific cost repayment to those who actually use the service. Non-residents may be able to recover their fees from their insurers.

B5. SECOND RESPONSE FOR OPEN AIR BURNING

Hamilton Emergency Services - Fire proposes to charge a fee for any second emergency response to an address or property where open air burning is being conducted without the required permit or where the guidelines associated with the issuance of the permit are not being adhered to. After an initial response, a warning letter will be sent to the property owner/permit holder. The proposed fee to be charged is based upon the established Ministry of Transportation rates that are presently billed for responses on Provincial highways. The rate would be $350 per piece of equipment for the first hour or part thereof and $175 per piece of equipment for each additional half-hour or part thereof. Based upon past occurrences, it is estimated that this service fee may be applicable to approximately 40 responses a year resulting in potential revenue of $14,000 annually.

Collection of fees charged under the User Fee By-law by Hamilton Emergency Services - Fire would be handled by the City of Hamilton Finance Department on an invoicing system.

COMPARISON OF FEE SCHEDULES

The attached schedules are a comparative look at fees charged by the six former Municipalities forming the new City of Hamilton as well as fees charged by municipalities which are comparative in size to the new City of Hamilton.

- **Appendix B** is a comparative list of inspection service fees
- **Appendix C** is a comparative list of emergency response fees
- **Appendix D** is a comparative list of miscellaneous services

In view of the foregoing, it is recommended that the attached User Fee By-law (Appendix A) be approved and enacted.

ANALYSIS OF ALTERNATIVES:

a) Status quo is not recommended. It is not efficient for staff or consistent to the public for Fire to continue to administer six different user fee schedules.

b) Elimination of any of the new proposed fees is not recommended.
B1 – Fireworks Permit Fees for Sales
B2 – Re-inspection Fee
B3 – False Alarm Fee
B4 – Non-resident Motor Vehicle Responses
B5 – Second Response for Open Air Burning

These fees will help to make our community safer, reduce both false alarms and careless/dangerous open air burning incidents and assist in recovery of costs for delivery of services.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial A 10% increase to existing services fees will result in a $9,000 revenue increase. The new proposed fees (B1-B5 inclusive) are estimated to result in revenue of $156,000 which will act as cost recovery for the delivery of the various specified services and enforcement costs.

Staffing There are no identified staffing implications

Legal None

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

- Finance and Corporate Services Department (Hamilton)
- Ottawa
- London
- Windsor
- Burlington
- Mississauga
- Oakville

CITY STRATEGIC COMMITMENT:

This report's recommendations are consistent with the strategic commitments of Vision 2020 – A Sustainable City.

APPENDIX A

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. _________

To Establish Fees for Fire Prevention and Suppression Services

WHEREAS Section 220.1 of the *Municipal Act,* R.S.O. 1990, c. M.45, provides for the Council of a Municipality to enact a by-law to impose fees or charges for the provision of services.

NOW THEREFORE the Council of the City enacts as follows:

1. Interpretation

1.1 In this By-law

(a) "City" means the City of Hamilton;

(b) "false alarm" means an alarm condition in a building to which the Fire Department is dispatched and in respect of which no fire or carbon monoxide problem is found;

(c) "Fire Department" means the Hamilton Emergency Services-Fire;

(d) "Fire Prevention Service" means a fire prevention service to which this By-law applies;

(e) "non-resident" means a person who does not reside in the City and who is not the owner or tenant of a property in the City;

(f) "owner" means the person having effective control over or apparent possession of property or the relevant portion thereof, or where that person cannot be determined, the registered owner of that property, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property;

(g) "property" means any public or private land, building, structure or other real property within the City, but does not include real property or any leasehold interest therein owned by the Crown either Federally or Provincially.

1.2 For the purposes of this By-law, the Fire Department shall be deemed,

(a) to have responded to a call for assistance, emergency services or a fire or emergency service related incident where any one or more vehicles, equipment or personnel of the Fire Department are dispatched or otherwise respond to that call or incident; and

(b) in determining whether it has responded for a second or subsequent time, regard shall be had only to responses of the Fire Department within the immediately preceding twelve month period.

1.3 In this By-law,

(a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;

(d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;

(e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings;

(f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Fees for Fire Prevention Services

Unless waived by the Director of Emergency Services or the Chief Fire Prevention Officer a person who requests any one or more of the Fire Prevention Services to which this By-law applies shall pay the appropriate fee specified in this By-law.

3. Notice of Work or Testing

3.1 No person shall undertake any work or testing on any life safety system or device that sends an alarm directly to an alarm monitoring company without prior notice to that alarm monitoring company

3.2 No person shall undertake any work or testing on any life safety system or device that does not send a signal to an alarm monitoring company without prior notice to the Fire Department Communications Division.

4. Fees for False Alarm Responses

4.1 Where the Fire Department responds to a false alarm that is the result of a failure to notify either an alarm monitoring company as described in Section 3.1, or is the result of a failure to notify the Fire Department as described in Section 3.2, the owner of the property in respect of which such a false alarm has occurred shall pay a fee of $500 in respect of that alarm.

4.2 Where the Fire Department responds to four or more false alarms in the same building in any 30 day period, the property owner (or, in lieu thereof, the person responsible for those false alarms, where that person can be determined) shall pay a fee of $350 for the fourth alarm and for any subsequent false alarm during that 30 day period.

4.3 Unless section 4.2 applies, where the Fire Department responds to six or more false alarms in the same building in any calendar year, the property owner (or, in lieu thereof, the person responsible for those false alarms, where that person can be determined) shall pay a fee of $350 for the sixth alarm and for any subsequent false alarm during that calendar year.

5 Non-Resident Motor Vehicle Responses

5.1 Where the Fire Department responds to a call or incident within the City pertaining to a motor vehicle owned by a non-resident of the City, the owner of that non-resident motor vehicle may be charged and (if charged) shall pay a response fee set of $350 per Fire Department vehicle for the first hour during which such vehicles are involved in that response (measured from the time of dispatch to the time of their departure from the scene), plus $175 for each half hour thereafter, as determined in accordance with section 8.

5.2 Where the Fire Department responds to a call or incident within the City that pertains to more than one motor vehicle owned by non-residents of the City, the applicable response fee will be equally divided among all non-resident motor vehicle owners.

6 Open Air Burning

6.1 Where the Fire Department responds to a second or subsequent call or incident, at a property within the City involving an open air fire for which no open-air burning permit has been obtained by the property owner, the owner of the property at which the open-air burning has occurred shall pay a fee of,

(a) $350 per vehicle for the first hour during which Fire Department personnel are in attendance at the scene of that property; and

(b) $175.00 per half-hour per vehicle for each half-hour thereafter.

6.2 Where the Fire Department responds to a second or subsequent call or incident, at a property within the City that involves a violation of the Fire Department's Open Air Burning Permit guidelines, as published from time to time, the owner of the property at which the open-air burning has occurred shall pay a fee of,

(a) $350 per vehicle for the first hour; and

(b) $175.00 per vehicle for each half-hour thereafter,

as determined in accordance with section 8.

7 Other Fire Suppression Reponses

7.1 Where the Fire Department responds to a call or incident within the City of Hamilton involving dangerous goods, other than an emergency, the motor vehicle owner on which those goods are being carried, or (where those goods are not being carried on a motor vehicle), the owner of the property on which those goods are situate, shall be liable for and shall pay the cost of any materials consumed in providing that response.

7.2 Where a request is made to have Fire Department apparatus or personnel attend at a community related event for non-emergency stand-by, the decision to provide or not provide this service shall be for the Director of Emergency Services, acting in his or her reasonable discretion based upon staffing, resource allocations, staff safety and any other considerations deemed appropriate by the Director of Emergency Services, but where that service is provided, the organizer of the event shall pay a fee of $350.00 per vehicle plus appropriate hourly crew costs.

7.3 Where a request is made to have Fire Department apparatus or personnel attend at a an event for non-emergency stand-by, and that event is other than a community related event, the decision to provide or not provide this service shall be for the Director of Emergency Services, acting in his or her reasonable discretion based upon staffing, resource allocations, staff safety and any other considerations deemed appropriate by the Director of Emergency Services. If provided, the fee payable shall be $350.00 per hour per vehicle for the first hour and $175.00 per half-hour per vehicle thereafter.

7.4 Where a request is made for the provision of a Fire Prevention Service described in Column 1 of Schedule A, the property owner shall pay the corresponding fee set out in Column 2 of that Schedule.

8. Computation of Fees

8.1 The computation of time for the purposes of determining the appropriate fee for a service shall commence at the time of dispatch or leaving from Fire Department premises and shall end at the time of return to those premises.

8.2 Where the provision of service requires attendance on more than one occasion, a separate fee shall be paid for each attendance.

8.3 Fire Department staff shall maintain records of the time spent responding to requests for services to which this By-law applies, and in the absence of manifest error, those records shall be conclusive evidence of the facts stated therein.

8.4 Any amount provided as being payable as a fee under this By-law shall be deemed to include all applicable Goods and Services Tax.

9 Disputes with Respect to Fees

9.1 Where a person who is invoiced in respect of a fee under this By-law disputes his or her liability to that fee, or to the amount of fee calculated as owing, that person may provide a statement in writing setting out in detail the basis of his or her objection to the Director of Emergency Services

9.2 Upon receipt of a written objection under subsection 9.1, the Director of Emergency Services shall review the matter as soon as practical and shall determine whether the fee was correctly imposed or calculated, as the case may be.

9.3 The Director of Emergency Services shall respond to the person who provided the statement, in writing, providing reasons for his or her decision.

9.4 The decision of the Director of Emergency Services in this regard shall be final.

10. Collection of Outstanding Fees

10.1 A fee imposed under this By-law is due and payable upon the issue of an invoice therefor by the City to the person liable to pay that fee, and where such a fee is not paid in full by that person within 30 days of the date on which such an invoice was issued, that person shall pay interest on the amount unpaid at a fixed rate of one per cent per month (12.68 per cent per annum) on the amount outstanding, calculated on a daily basis from the date of the invoice until the date of payment in full, and compounded monthly.

10.2 A fee imposed under this by-law constitutes a debt owed to the City.

10.3 Without limiting any collection remedy otherwise available to the City, the City may add any fee payable with respect to services provided to any property within the City to the tax roll for that property, and the amount may be collected in like manner as municipal taxes.

11. Application

11.1 This By-law comes into effect on the date on which it is passed and enacted by the Council.

11.2 By-law does not apply with respect to a service provided prior to the date on which this By-law came into effect.

12. Transition

12.1 The following are repealed.

(a) By-law No. 5110-00 of the former Corporation of the City of Stoney Creek, entitled *A By-law To Establish Fees to be Charged for Fire Department Services and Rescue Operations;*

(b) By-law No. 96-53-F of the former Town of Flamborough, entitled *A By-law To Establish a Fee Structure for Charging of Fees for Emergency Services, Responses and Action for Fires Intentionally Set within the Town of Flamborough by Persons who do not Obtain an Open Air Burning Permit or Who are in Violation of the Rules of Said Permit;*

(c) By-law No. 97-085 of the former Corporation of the City of Hamilton, entitled *A By-law to Enact User Fees for the Hamilton Fire Department.*

12.2 Despite section 12.1, the fees payable in section 6 shall not come into effect until January 1, 2003, and until that date, the fees payable with respect to open air burning under the by-laws identified in section 12.1 shall continue in effect.

PASSED and ENACTED this day of , 2002

MAYOR

CLERK

SCHEDULE "A" – INSPECTION SERVICES

ITEM	COLUMN 1	COLUMN 2
1	Inspection of private home day care facilities	$50.00
2	Inspection of licensed day care facilities	$120.00
3	Inspection of single family dwellings	$50.00
4	Inspection of two family dwellings	$240.00
5	Inspection of residential buildings of 3 stories or less, and having 3 or more apartments	$420.00
6	Inspection of residential buildings of 4, 5 or 6 stories	$710.00
7	Inspection of residential buildings of between 7 and 11 stories	$710.00
8	Inspection of residential buildings of between 12 and 18 stories	$950.00
9	Inspection of Residential Buildings having more than 18 stories	$1200.00
10	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or less and less than 3000 square feet per floor	$190.00
11	Inspection of non-residential Buildings (mercantile, industrial, businesses etc.) having 4 stories or less and between 3000 and 5000 square feet per floor	$300.00
12	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or less and more than 5000 sq. ft. per floor	$400.00
13	Inspection of non-residential Buildings (mercantile, industrial, businesses etc.) having more than 4 stories and less than 3000 square feet per floor	$450.00
14	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 stories or more and between 3000 and 5000 sq. ft. per floor	$530.00
15	Inspection of non-residential buildings (mercantile, industrial, businesses etc.) having 4 Stories or more and more than 5000 sq. ft. per floor	$710.00
16	Inspection of foster care homes having a capacity of 4 or less and group homes having a capacity 3 or less	$50.00

17	Inspection of foster care homes With a capacity of more than 4	$190.00
18	Inspection of group homes with a capacity of more than 3	$190.00

19	Inspection of AGCO licence requests - Indoor	$130.00
20	Inspection of AGCO licence requests – Patio	$60.00
21	Copy of a fire response report	$30.00
22	File Searches concerning Outstanding Work Orders	$50.00
23	Requests for fire route establishment, whether new or a review of an existing	$180.00
24	Requests for environmental file searches	$330.00
25	Open Air Burning Permit	$20.00
26	Open Air Burning Inspection Request	$120.00
27	Request for Clearance/Status Letter	$25.00
28	Family Fireworks Sale Permit - Store	$150.00
29.	Family Fireworks Sale Permit - Trailer	$300.00
30.	Re-inspection fee (second re-inspection after compliance date and subsequent re-inspections)	$50.00

APPENDIX B

COMPARISON OF FEES FOR SERVICES - INSPECTION SERVICES

SERVICE	MUNICIPALITY									NEW CITY OF HAMILTON
	ANCASTER	DUNDAS	FLAMBOROUGH	STONEY CREEK	HAMILTON	OTTAWA	WINDSOR	TORONTO	LONDON	
AGCO (LIQUOR LICENCE)	$100	$85	$100	$100 - INDOOR $50 - PATIO	$117.70 - INDOOR $53.50 - PATIO	$100	$140	$150	$125	$130 - INDOOR $60 - PATIO
HOME DAY CARE	$75	$40	$75	$30	$36.38	$50	$65	$75	$40	$50
DAY CARE - LIC.	$100	$85	NO FEE CHARGED	$100	$107	$50	$65	$100	$40	$120
SINGLE FAMILY	NO FEE CHARGED	$40	$45	NO FEE CHARGED	$36.38	$150	$65-$100/HR	$75	$100	$50
2 FAMILY	NO FEE CHARGED	$80	$45	$150	$214	$250	$65-$100/HR	$150	$100	$240
RESIDENTIAL < OR = 3 STORIES > OR = 3 APTS.	$300	$50/HR - 3 HR MIN.	$67	$267.50	$374.50	$250	$75/UNIT	$50/STOREY	$100	$420
RESIDENTIAL 4, 5, 6 STORIES	NO FEE CHARGED	$50/HR - 3 HR MIN.	$67	$321-$374.50	$642	$150 - $300	$100/HR	$50/STOREY	$100	$710
RESIDENTIAL										
6 - 11 STORIES	NO FEE CHARGED	$50/HR - 4 HR MIN.	$100 plus $30/hr	$374.50	$642	$267.50 - $374.50	$50/UNIT	$30 - $50/STOREY	$107/10000 sq. ft.	$710
12 - 18 STORIES	NO FEE CHARGED	$50/HR - 4 HR MIN.	$100 plus $30/hr	$481.50	$856	$321 - $428	$50/UNIT	$30 - $50/STOREY	$107/10000 sq. ft.	$950
OVER 18 STORIES	NO FEE CHARGED	$50/HR - 4 HR MIN.	$100 plus $30/hr	NO FEE CHARGED	$1,070	$321 - $428	$50/UNIT	$30 - $50/STOREY	$107/10000 sq. ft.	$1,200
NON-RESIDENTIAL/ MIXED OCCUPANCY										
"A" See note				$160.50 - $267.50	$171.20	$214 - $374.50	$100/HR	$120 PLUS $35/1000m2	$107/10000 sq. ft.	$190
"B" See note										$300
"C" See note										$400
"D" See note	$50	$50/HR - 4 HR MIN.	$139.65 plus $55.85/hr	$321	$406.60	$214 - $374.50	$100/HR	$120 PLUS $35/1000m2	$107/10000 sq. ft.	$450
"E" See note	$100	$50/HR - 4 HR MIN.	$139.65 plus $55.85/hr	$428	$481.50	$214 - $374.50	$100/HR	$120 PLUS $35/1000m2	$107/10000 sq. ft.	$530
"F" See note	$300	$50/HR - 4 HR MIN.	$139.65 plus $55.85/hr	$535	$642	$214 - $374.50	$100/HR	$120 PLUS $35/1000m2	$107/10000 sq. ft.	$710
FOSTER CARE CAP>4	$100	$85	$100	$32.10	$171.20	$53.50	$65	$100	$107/10000 sq. ft.	$190
GROUP HOMES CAP>3	$100	$85	$100	$149.80	$171.20	$53.50	$65	$100	$107/10000 sq. ft.	$190
FOSTER CARE CAP < OR = 4 GROUP HOMES CAP < OR = 3	$100	$40	$100	$32.10	$36.38	$53.50	$65	$100	$107	$50

APPENDIX C

COMPARISON OF FEES FOR SERVICES (YEAR-2000) - EMERGENCY RESPONSES

	MUNICIPALITY									NEW CITY OF HAMILTON
SERVICE	**ANCASTER**	**DUNDAS**	**FLAMBOROUGH**	**STONEY CREEK**	**HAMILTON**	**OTTAWA**	**WINDSOR**	**TORONTO**	**LONDON**	
MVC (HIGHWAYS)	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$350/HR/VEH. (1ST HOUR) $175/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$350/HR/VEH. (1ST HOUR) $175/ 1/2HR/VEH. (AFTER)
NON-RESIDENT MOTOR VEHICLE	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	SEE SCHEDULE "C"
FALSE ALARM RESPONSE	$300 - 2ND RESPONSE	$300 - 3RD RESPONSE $600 - 4TH RESPONSE $900 -5TH RESPONSE	$300 - 2ND RESPONSE	$300 - 3RD RESPONSE $400 - 4TH RESPONSE $500 -5TH RESPONSE	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$300 - 4TH RESPONSE/MTH $300 - 6TH RESPONSE/YR $500 - NON-NOTIFIED	SEE SCHEDULE "C"
2ND RESPONSE OPEN AIR BURNING	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	SEE SCHEDULE "C"
DANGEROUS GOODS RESPONSE	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	COST OF MATERIALS PLUS 10% PLUS $100 ADMINISTRATION FEE	NO FEE CHARGED	NO FEE CHARGED	COST OF MATERIALS

ALL FEES INCLUDE GST AS APPLICABLE

COMPARISON OF FEES FOR SERVICES - INSPECTION SERVICES, cont'd.

	MUNICIPALITY									NEW CITY OF HAMILTON
SERVICE	ANCASTER	DUNDAS	FLAMBOROUGH	STONEY CREEK	HAMILTON	OTTAWA	WINDSOR	TORONTO	LONDON	
FIRE REPORT	$50	$35	$45	$32.10	$19.26	NO FEE CHARGED	$50 - $75 - $100	$60	$50 - $70(OVER 2YRS.)	$30
FILE SEARCH	$50	$45	$50	$42.80	$40	$60	$45 - $65	$70	$40	$50
FIRE ROUTE	$150	NO FEE CHARGED	NO FEE CHARGED	$160.50	$160.50	$75	NO FEE CHARGED	$200	NO FEE CHARGED	$180
ENVIRONMENTAL FILE SEARCH	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$214	$300	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$330
OPEN - AIR BURNING	$10 - PERMIT	$50/MONTH	NO FEE CHARGED	$10 - $100	$107	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$20 - PERMIT $120 - INSPECTION
CLEARANCE/ STATUS LETTER	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$21.40	$20	NO FEE CHARGED	NO FEE CHARGED	$70	$40	$25

ALL FEES INCLUDE GST AS APPLICABLE

Note: Non-residential buildings include mercantile, industrial, businesses etc.
:Mixed Occupancy refers to buildings containing commercial/mercantile occupancies along with residential units
"A" - 4 Storeys or less and less than 3000 sq. ft. per floor
"B" - 4 Storeys or less and between 3000 sq. ft. – 5000 sq. ft. per floor
"C" - 4 Storeys or less and greater than 5000 sq. ft. per floor
"D" - Over 4 Storeys and less than 3000 sq. ft. per floor
"E" - Over 4 Storeys and between 3000 sq. ft. – 5000 sq. ft. per floor
"F" - Over 4 Storeys and greater than 5000 sq. ft. per floor

PROPOSED FEES FOR SERVICES - MISCELLANEOUS SERVICES

	MUNICIPALITY									NEW CITY OF HAMILTON
SERVICE	ANCASTER	DUNDAS	FLAMBOROUGH	STONEY CREEK	HAMILTON	OTTAWA	WINDSOR	TORONTO	LONDON	
FIREWORKS PERMIT	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$32.10 - PUBLIC VENDOR $200 - NON-RESIDENT	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$200 DISPLAY PERMIT	NO FEE CHARGED	$150 - PERMIT - STORES $300- PERMIT-TRAILER
RE-INSPECTION FEE'S	NO FEE CHARGED	NO FEE CHARGED	$50	$32.10 - $107 (2ND) $53.50 - $214 (3RD) $107 - $267.50 (4TH)	NO FEE CHARGED	NO FEE CHARGED	$50/HR - 1HR MIN.	NO FEE CHARGED	NO FEE CHARGED	$50/RE-INSPECTION COMMENCING WITH 2ND RE-INSPECTION AFTER NON-COMPLIANCE
REQUEST FOR APPARATUS AND PERSONNEL AT COMMUNITY EVENT	$100/HR	NO FEE CHARGED	$107/HR	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	$300/HR PLUS CREW RATE PLUS 10% ADMIN. FEE	NO FEE CHARGED	NO FEE CHARGED	$350 PER VEHICLE PLUS APPROPRIATE HOURLY CREW COSTS (see note)
REQUEST FOR APPARATUS AND PERSONNEL AT OTHER THAN COMMUNITY EVENT	$100/HR	NO FEE CHARGED	$107/HR	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	$300/HR PLUS CREW RATE PLUS 10% ADMIN. FEE	NO FEE CHARGED	NO FEE CHARGED	$350/HR/VEH. (1ST HOUR) $175/HR/VEH (AFTER) (see note)
NON-RESIDENT MOTOR VEHICLE	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$350/HR/VEH. (1ST HOUR) $175/ 1/2HR/VEH. (AFTER)
FALSE ALARM RESPONSE	$300 - 2ND RESPONSE	$300 - 3RD RESPONSE $600 - 4TH RESPONSE $900 -5TH RESPONSE	$300 - 2ND RESPONSE	$300 - 3RD RESPONSE $400 - 4TH RESPONSE $500 -5TH RESPONSE	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$300 - 4TH RESPONSE/MTH $300 - 6TH RESPONSE/YR $500 - NON-NOTIFIED	$350 - 4TH RESPONSE/MTH $350 - 6TH RESPONSE/YR $500 - NON-NOTIFIED
2ND RESPONSE OPEN AIR BURNING	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	$300/HR/VEH. (1ST HOUR) $120/ 1/2HR/VEH. (AFTER)	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	NO FEE CHARGED	$350/HR/VEH. (1ST HOUR) $175/ 1/2HR/VEH. (AFTER)

Note: The decision to provide/not provide this service would be the Fire Chief's and /or his designate, based on staffing, resource allocations, staff safety and any other considerations deemed appropriate by the Fire Chief.

APPENDIX D

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.2

COMMUNITY SERVICES DEPARTMENT

Emergency Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager
Date:	August 29, 2002	**Prepared by:**	Glen Peace (905) 546-3341

SUBJECT: City of Hamilton Fireworks By-law (CS02080)(City Wide)

RECOMMENDATION:

a) That By-law No. 3811-93, as amended, passed by The Corporation of The City of Stoney Creek, namely "To Regulate the Use and Sale of Fireworks and Firecrackers in the City of Stoney Creek", be hereby repealed;

b) That By-law No. 4166-94, passed by The Corporation of the Town of Dundas, namely "A By-law to Regulate the Sale and Use of Fireworks", be hereby repealed;

c) That By-law No. 95-30, passed by The Corporation of the Town of Ancaster, namely "A By-law to Regulate the Use and Sale of Fireworks", be hereby repealed;

d) That By-law No. 90-198, as amended, passed by The Corporation of The City of Hamilton, namely "The Fireworks By-law", be hereby repealed;

e) That the City of Hamilton Fireworks By-law, attached hereto report CS02080 as **Appendix A**, be passed and enacted to provide legislation respecting the Sale and Use of Fireworks in the City of Hamilton with the applicable fees as per By-law 02- "Fees for Services and Cost Recovery by the Hamilton Emergency Services – Fire".

William E. Fenwick, Acting General Manager
Community Services Department

EXECUTIVE SUMMARY:

The recommendations/information contained in report CS02080 have City Wide implications.

At present there are four By-laws in effect within the various districts of the City of Hamilton, which regulate the sale and use of fireworks. These four By-laws are in the former municipalities of Hamilton, Stoney Creek, Dundas and Ancaster. The former Town of Flamborough and the former Township of Glanbrook had no regulations concerning fireworks. While there are many regulatory similarities from area to area, there are also significant differences, with respect to By-laws, which tends to create an unacceptable state of confusion for residents and enforcement by staff.

The passing of this new By-law will essentially result in the replacement of four By-laws with one, having force and effect throughout the "New" City. The benefits include less confusion for the public, increased safety with the establishment of new regulations and greater administrative efficiency as the result of having only one set of regulations to enforce.

Enacting the proposed new Fireworks By-law will allow the Hamilton Emergency Services - Fire to enforce uniform legislation throughout the "New" City and to recover costs associated with doing so. The regulations will enhance public safety with respect to the handling, sale and use of fireworks.

The fees proposed in the By-law for fees for service and cost recovery by the Hamilton Emergency Services – Fire are:

- $150 for a permit to sell fireworks from an indoor, retail location
- $300 for a permit to sell fireworks from a trailer

This By-law and applicable fees will come into force and effect on January 1, 2003.

BACKGROUND:

The City of Hamilton Act, 1999, S.O. 1999 Chapter 14, Schedule C Incorporated, as of January 1st, 2001, the municipality "City of Hamilton"; and provides that:

a) The City of Hamilton is the successor to the former area municipalities of the Corporation of the Town of Ancaster; the Corporation of the Town of Dundas; the Corporation of the Town of Flamborough; the Corporation of the Township of Glanbrook; the Corporation of the City of Hamilton; the Corporation of the City of Stoney Creek; and the Regional Municipality of Hamilton-Wentworth;

b) The By-laws of the former area municipalities and the regional municipality are to continue in force and effect within the geographic boundaries representing the enacting municipality, until subsequently amended or repealed by the Council of the City of Hamilton.

The most comprehensive fireworks By-law was that of the former municipality of Hamilton. The fireworks By-laws from the other three municipalities mirrored the Hamilton By-law with some minor variances.

Those variances are as follows:

1. **Time periods during which family fireworks could be sold:**

- **Stoney Creek** - Fireworks could be sold on Victoria Day, Canada Day, and each of the five business days immediately preceding Victoria Day and Canada Day.
- **Ancaster** - Fireworks could be sold on Victoria Day, Canada Day, and each of the ten business days immediately preceding Victoria Day and Canada Day.
- **Dundas** - Fireworks could be sold on Victoria Day, Canada Day, and each of the six business days immediately preceding Victoria Day and Canada Day.
- **Hamilton** - Fireworks could be sold on Victoria Day, Canada Day, and each of the seven days immediately preceding Victoria Day and Canada Day.

The new proposed Fireworks By-law will maintain what is in the City of Hamilton By-law and allow family fireworks to be sold on Victoria Day, Canada Day, and each of the seven days immediately preceding Victoria Day and Canada Day. It is felt that seven days is sufficient time for citizens to purchase fireworks. Any increase in this time frame could compromise public safety due to fireworks being stored and handled for longer periods of time prior to Victoria Day or Canada Day.

2. **Time periods during which family fireworks could be set off:**

- **Stoney Creek** - Fireworks could be set off on Victoria Day, Canada Day and the two days immediately preceding or following Victoria Day and Canada Day.
- **Ancaster** - Fireworks could be set off on Victoria Day, Canada Day, Guy Fawkes Day, and the two days immediately preceding or following Victoria Day and Canada Day.
- **Dundas** - Fireworks could be set off on Victoria Day, Canada Day and the two days immediately preceding or following Victoria Day and Canada Day.
- **Hamilton** - Fireworks could be set off on Victoria Day, Canada Day and the day immediately preceding or following Victoria Day and Canada Day.

The new proposed Fireworks By-law will maintain what is in the Stoney Creek and Dundas By-laws and allow family fireworks to be set off on Victoria Day, Canada Day, and the two days immediately preceding or following Victoria Day and Canada Day. This was felt to be reasonable considering the possibility of inclement weather on either of those two holidays.

3. **Locations from which family fireworks could not be sold:**

- **Stoney Creek** - Fireworks could not be sold from an outdoor structure or vehicle unless written permission was received from the Chief Fire Official or his designate.
- **Ancaster** - This By-law did not address from where family fireworks could be sold.
- **Dundas** - Fireworks could not be sold from a stand, trailer, or vehicle.
- **Hamilton** - Fireworks could not be sold from an outdoor stand, tent, trailer, or motor vehicle.

The present Stoney Creek, Dundas and Hamilton By-laws all prohibit the selling of family fireworks from specific locations. The Stoney Creek By-law was amended to allow the Fire Chief discretion in permitting family fireworks to be sold from an outdoor structure or vehicle. On occasion, permission was granted to various service clubs and organizations to sell from trailers, with no incidents occurring. The proposed new Fireworks By-law will continue to allow the sale from trailers only, contingent upon a permit being obtained (as noted below in Additional Considerations) and several safety guidelines being adhered to. This permit will have a fee applied to it that will offset the staffing costs to ensure trailer sales are carried out safely.

By allowing the sale of fireworks from tents, motor vehicles and outdoor stands, there would be minimum control in the variation of the construction, location and security of these sale locations. Any fireworks stored within these tents, motor vehicles and/or outdoor stands could be subjected to direct sunlight and the associated heat build-up this creates. This in turn could create specific problems and hazards with the fireworks stored inside. There are associated security concerns with respect to fireworks which may be left overnight in a tent or outdoor stand. With fireworks being left in a motor vehicle, there is the possibility of that motor vehicle being parked in a garage or parking structure, thereby creating another potential hazard. Allowing the sale of fireworks from these types of locations would require the administering and monitoring of the necessary controls in order to meet minimum safety levels. This would be time consuming in terms of staff resources - resources that are better used in dealing with public education initiatives and inspections of high risk areas as mandated by the Fire Protection and Prevention Act. It is the opinion of Hamilton Emergency Services - Fire and that of other fire safety organizations such as National Fire Protection Association that the use of fireworks (both family and display type) should only be handled by professionally trained and certified personnel. Strict controls on sales locations for safety reasons could lessen impulse purchases by the public and encourage the public to attend professionally handled displays.

The new proposed Fireworks By-law will maintain what is in the City of Hamilton By-law with a change allowing the sale of family fireworks from a trailer provided a permit is obtained and safety guidelines are adhered to. The new By-law still excludes the sale of family fireworks from an outdoor stand, tent or motor vehicle.

ADDITIONAL CONSIDERATIONS:

- **"Issuance of Sale Permits" for Vendors selling Family Fireworks: (Appendix B)**

The existing Fireworks By-laws contain no provisions that deal with approving locations that sell family fireworks. At the present time, any retail outlet within the City of Hamilton that chooses to sell fireworks can do so. In addition, a citizen that resides in the City of Hamilton can rent out a retail space and sell family fireworks from that location. An individual, who does not reside in the City of Hamilton, is required to get a Transient Traders permit from the Licencing Division, at a cost of $500 in order to sell fireworks. This permit is effective for three months from time of purchase. There is presently no notification to Hamilton Emergency Services - Fire of locations where fireworks are sold.

In dealing with these retail outlets over the years, it is apparent that many storeowners/clerks do not understand the hazards associated with the fireworks they are selling. In May of 1989, family fireworks located in a variety store on King Street East in Hamilton were ignited, resulting in the total loss of the store. Had this storage of family fireworks, been in compliance with the existing Fireworks By-law, this total loss may have been averted.

The harnonized By-law therefore requires that citizens wanting to sell family fireworks from a retail location or a trailer in the City of Hamilton apply for a family fireworks sales permit. This permit application would initiate an inspection by an Inspector from the Fire Prevention Division to ensure compliance with the Fireworks By-law. This inspection would also involve an educational component to ensure that the retailer understands the inherent hazards associated with the sale of fireworks. The permit would allow the sale of family fireworks during both time frames as described in the Fireworks By-law. The permit fees would recover costs associated with the inspection by the Hamilton Emergency Services - Fire. A copy of the permit would be forwarded to both the Licencing Division of the City of Hamilton and the Hamilton Police Service. Both of these Departments can enforce the requirements of the Fireworks By-law. With this permit application initiating an inspection by this Department, public safety is enhanced by ensuring the storage and sale of family fireworks is done safely and in conformance with the Fireworks By-law. It is estimated that there are approximately 80 stores in the new City of Hamilton that would sell fireworks and approximately 10 trailers that would be involved in the sale of family fireworks.

- **Issuance of Permits for Family Fireworks – Other than Victoria Day or Canada Day**

Over the past few years, there have been several occasions where permits have been issued for fireworks displays in which family fireworks have been set off by approved and accredited Fireworks Supervisors rather than display type fireworks. While this may not be a safety issue, it should be noted that the existing Fireworks By-law clearly stipulates that family type fireworks shall not be set off except on Victoria Day and Canada Day. Permits can be obtained to set off display type fireworks on any other day during the year. Thus, existing Fireworks By-laws create a safe but technically non-compliant situation.

The Fireworks By-law will allow for family fireworks to be set off on any day of the year by an approved fireworks supervisor provided a permit, issued by The City of Hamilton, has been obtained. This permit application would be identical to that required for display type fireworks, including proof of liability insurance and the display being conducted by a Display Fireworks Supervisor, as authorized under the Explosives Act (Canada).

This recommendation does not compromise public safety as the permit allows for the use of low hazard fireworks by a qualified Display Fireworks Supervisor. It does close an apparent oversight in the existing By-laws.

- **Pyrotechnics**

The existing Fireworks By-laws contain no provisions that deal with the use of pyrotechnic special effects for entertainment in musical and theatrical stage productions. The proposed By-law will specify only certified persons be allowed to supervise and carry out pyrotechnic displays and special effects in accordance with the Pyrotechnics Special Effects Manual as issued and updated by the Explosives Regulatory Division of Natural Resources Canada.

ANALYSIS OF ALTERNATIVES:

Status quo is not recommended. There must be one standard regulation on this issue with consistent recognition, application and enforcement throughout the City. Status quo will not achieve this.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

A projected revenue of $15,000 for permit fees is estimated which will recover the staffing costs associated with permit inspections.

An adjustment to staffing levels may be necessary in the future if existing staff are unable to adequately deliver the service.

There are no legal implications applicable.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Finance and Corporate Services Department

CITY STRATEGIC COMMITMENT:

This report's recommendations are consistent with the strategic commitments of Vision 2020 – A Sustainable City.

APPENDIX A

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. _________

To Regulate the Sale and Use of Fireworks

WHEREAS the *Municipal Act* authorizes the prohibition and regulation of the sale and use of fireworks ;

AND WHEREAS the Council of the former municipalities comprising the City of Hamilton enacted diverse by-laws to prohibit and regulate the sale and setting off of fireworks within their respective geographic areas;

AND WHEREAS it is in the interest of the people of the new City of Hamilton to standardize the regulations and prohibitions applicable to the sale and use of fireworks.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

1.1 In this By-law

(a) "child" means a person who is under 18 years of age;

(b) "City" means the City of Hamilton;

(c) "Chief of Police" means the Chief of Police for the City;

(d) "display fireworks" means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2, Subdivision 2 under the *Explosives Act,* R.S.C. 1985, c. E-17, as amended, and the *Explosives Regulations* under that Act, and includes but is not limited to the classes of fireworks known within the firework industry as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons;

(e) "family fireworks" means low hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the *Explosives Act,* R.S.C. 1985, c. E-17 as the *Explosives Regulations* under that Act, and includes but is not limited to fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive;

(f) "Family Fireworks Sales Permit" means a permit as issued in accordance with section 8;

(g) "Fire Chief" means the City's Director of Emergency Services;

(h) "firecracker" means a pyrotechnic device that is designed to explode after being ignited without subsequent display or simultaneous visible effect, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;

(i) "Fire Department" means the Hamilton Emergency Services-Fire;

(j) "General Manager" means the General Manager of Community Services;

(k) "magazine" means magazine as defined in the *Explosives Act,* R.S.C. 1985, c. E-17;

(l) "motor vehicle" means motor vehicle as defined in the *Highway Traffic Act,* R.S.O. 1990, c. H.8;

(m) "Permit" means permission to hold a fireworks display granted by the City issued under this By-law;

(n) "Pyrotechnics" means pyrotechnics as described in the *Pyrotechnics Special Effects Manual* issued by the Explosives Regulatory Division of Natural Resources Canada;

(o) "public display" means every setting off or other display of family fireworks or display fireworks except for a display within the scope of section 6.1, and for the sake of greater certainty but without limiting the generality of the foregoing, includes any display that is open to

  (i) the general public;

  (ii) persons who have purchased tickets to attend the display or a related event; or

  (iii) members of the organization sponsoring the display or a related event;

(p) "offer for sale" includes the display of goods as an invitation to treat;

(q) "owner" means the person having effective control over or apparent possession of property or the relevant portion thereof, or where that person cannot be determined, the registered owner of that property, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property;

(r) "prohibited fireworks" means firecrackers, and also those types of fireworks more particularly described in Schedule "A" hereto annexed;

(s) "property" means any public or private land, building, structure or other real property within the City;

(t) "retail sale" means a sale for the purpose of consumption or use and not for resale;

(u) "set off" includes any method of detonating or igniting a firework;

(v) "shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.

(w) "trailer" means an enclosed vehicle designed so that it may be attached to or drawn by a motor vehicle, and intended for the transport of goods, but does not include,

  (i) such a vehicle if attached to a motor vehicle; or

  (ii) a farm trailer.

1.2 In this By-law,

(a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;

(d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;

(e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings; and

(f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Ban Against Possession or Use of Firecrackers and Prohibited Fireworks

2.1 No person within the City shall possess, offer for sale, cause or permit to be sold, or sell any firecrackers or other prohibited fireworks.

2.2 No person within the City shall discharge, fire, set off or cause, or permit to be discharged, fired or set off any firecrackers or other prohibited fireworks.

2.3 The prohibition against the possession of firecrackers under subsection 2.1 does not apply with respect to firecrackers that are within the City solely as a result of their being in transit while being transported by a railway, airline, trucking company or other public carrier.

3. Sale and Possession of Family Fireworks, etc.

3.1 No person shall offer for sale, cause or permit to be sold, sell or otherwise distribute family fireworks unless the vendor has obtained a Family Fireworks Sales Permit under this By-law and,

(a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or its successor;

(b) the fireworks are displayed in individual lots that do not exceed 25 kilograms in gross weight;

(c) the fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods; and

(d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.

3.2 No person shall offer for sale, cause or permit to be sold, or sell family fireworks from an outdoor stand, tent, unenclosed trailer, or motor vehicle.

4. Trailer Sales

4.1 A vendor applying for a Family Fireworks Sales Permit to sell family fireworks from a trailer shall provide to the City the written permission of the owner of the land on which the trailer is to be parked, together with that application.

4.2 A Family Fireworks Sales Permit granted for the sale of family fireworks from a trailer is valid only for the sale location specified in that permit.

4.2 A person selling family fireworks sold from a trailer shall comply with the guidelines set by the Fire Chief with respect to the sale location for which the permit has been granted.

5. Display of Fireworks for Sale

5.1 Fireworks displayed in any shop window shall be mock samples only that contain no explosive compound.

5.2 No person who offers for sale any family fireworks shall, at any time, keep or permit the keeping of any family fireworks in any location in a shop or trailer unless the location is designated and posted as a "no-smoking" area.

5.3 No person shall offer for sale, cause or permit to be sold, or sell family fireworks except on Victoria Day, Canada Day, and during the seven day period immediately preceding each of those days.

5.4 No person shall offer for sale, cause or permit to be sold, or sell family fireworks to any person who is or who appears to be under the age of eighteen years.

5.5 No person storing family fireworks for sale shall store them except as permitted under the *Explosives Act*.

6. Use of Family Fireworks

6.1 Subject to subsection 6.2, no person shall set off family fireworks except on Victoria Day and Canada Day and the two days immediately preceding and following each of those days.

6.2 A person who has obtained a Permit to set off a public display of family fireworks as provided in this section may set off such fireworks on the day specified in that permit.

6.3 No child shall set off any fireworks, other than a sparkler where the child is under the supervision of an adult at all times.

6.4 No parent, guardian or person standing in the place of a parent with respect to a child shall permit that child to set off any firework, other than a sparkler where the child is under the supervision of an adult at all times.

6.5 No person shall set off family fireworks on any land of which he or she is not the owner, without obtaining the prior written permission of the owner to do so.

6.6 No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.

6.7 No person shall store, handle or set off family fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.

6.8 A person who stores fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.

6.9 No person shall hold a public display of family fireworks without a permit issued under this By-law.

7. Display Fireworks

7.1 No person shall sell or otherwise distribute, offer for sale, cause or permit to be sold, or possess for the purposes of sale or distribution, any display fireworks unless,

(a) those fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada) or its successor;

(b) the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Natural Resources (Canada).

7.2 No person shall give, offer for sale, cause or permit to be sold or sell Display fireworks to any person unless that person,

(a) is at least eighteen years of age;

(b) holds a valid Fireworks Supervisor's Card, and

(c) holds a valid permit issued by the City of Hamilton,

7.3 No person shall set off display fireworks, or advertise that a public display of either display fireworks or family fireworks is to be held within the City, without an appropriate permit issued under section 8.

8. Permits

8.1 Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may apply to the General Manager of Community Services for a permit to set off or hold a display of Display or Family type fireworks.

8.2 The fireworks supervisor who is named as the applicant in an application under this By-law shall be present in person at all times during which the fireworks are being set up, set off and cleaned up after the conclusion of the display or other setting off of those fireworks.

8.3 Every application for a permit under this section shall be made at least 30 days before the date scheduled for the setting off or holding of the display of display fireworks.

8.4 Before issuing a permit under this section, the General Manager of Community Services shall obtain a report from the Chief of Police confirming that there is no record of the applicant having been convicted of criminal offence relating to arson, malicious mischief, malicious destruction of property, or the improper, careless or willful misuse of fireworks or explosives, or a conviction under this by-law or any of its predecessors, during the 10 year period immediately preceding the date of the application.

8.5 The General Manager of Community Services shall not issue a permit under this section where it is of the opinion that the proposed site at which the fireworks are to be set off or the display is to be held is not suitable for that purpose.

8.6 An applicant for a permit under this section shall provide, together with his or her application,

(a) such information or consents as is required under this By-law;

(b) a fully executed Hamilton Police Services Access to Information waiver authorizing the Chief of Police to disclose information relating to the criminal record of the applicant to the General Manager of Community Services;

(c) evidence of insurance on such terms and in such amount as the City's Manager of Risk Management may prescribe from time to time;

(d) proof that the applicant has been approved by the Chief Inspector of Fireworks as a Display Fireworks Supervisor;

(e) a description of the site to be used for the setting of the display fireworks or family fireworks, as the case may be, sufficient to identify each site for which application is made;

(f) such further information as the General Manager of Community Services may reasonably require.

8.7 No person shall set off or hold a display of display fireworks at a date, time location or site except,

(a) on the date and at the time and site specified in the permit; and

(b) upon full compliance with all terms and conditions applicable with respect thereto; and

(c) where the fireworks are to be set-off on property of which the applicant is not the owner, with the prior written permission of the owner of that property.

8.8 A permit issued under this section may be made subject to such terms and conditions as the General Manager of Community Services may consider to be necessary in the interests of public safety, or to minimize inconvenience to the general public, or advisable in the circumstances or to give effect to the objects of this By-law, and every permit holder shall comply with those terms and conditions.

8.9 Every person to whom a permit is issued under this section shall:

(a) provide and maintain approved fully operational fire extinguishing equipment ready for immediate use, throughout the time while the display fireworks are being set-off or displayed, and for a reasonable period thereafter, at the location or site of the setting off or holding of a display of display fireworks;

(b) conform to the provisions of the current issue of the Fireworks Manual as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or any successor publication, for the setting off or holding of a display of display fireworks;

(c) produce the permit on demand to any police officer or any person authorized to enforce this By-law; and

(d) permit the inspection of any site where the display fireworks may be stored, set off or displayed, and the display fireworks themselves together with all associated equipment, by anyone authorized to enforce this by-law, forthwith upon demand.

8.10 Every person to whom a permit is issued under this section shall, immediately after the conclusion of the setting off or holding of a display, carry out a site inspection and shall

(a) remove all unused or partly used display fireworks from the site;

(b) gather together and remove all debris remaining after use or partial use of the display fireworks, and

(c) return the site to the condition it was in prior to the setting off or holding of the display.

8.11 The grounds on which display fireworks are set off or at which a display of such fireworks is held shall be kept under continual surveillance, by a person eighteen years of age or older, until the final site inspection has been completed by permit-holder identified under section 8.10.

8.12 No person shall set off display fireworks,

(a) into, inside of, or closer than 10 meters to, any building, accessory building or structure, or motor vehicle;

(b) within 200 meters of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk; or

(c) within 200 meters of a hospital, nursing home, home for the aged, church or school unless the consent of the Fire Chief and the owner or authorized representative of that facility has been obtained.

8.13 No person shall store, handle or set off display fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of such fireworks.

8.14 A person who stores display fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.

8.15 Except where a permit has been issued for that purpose under section 8, no person shall set off display fireworks, into, in, or on any highway, street, lane, alley, square or other public place.

8.16 A permit issued under this By-law is not transferable.

8.17 Where fireworks cannot be set off or displayed on the date provided in a permit, by reason of weather or some other cause that in the opinion of the General Manager of Community Services or the Fire Chief is sufficient, the Fire Chief may direct the issue of a new permit for some other date.

8.18 Where any holder of a permit fails or refuses to comply with a term or condition to which the permit is subject, the General Manager of Community Services or the Fire Chief shall immediately revoke the permit and shall forthwith send a written notice of that revocation to the permit holder.

8.19 The General Manager of Community Services may require an applicant for a permit under this By-law to provide such information as the General Manager of Community Services considers necessary or advisable in his or her reasonable judgment to make an informed decision as to whether or not to grant a permit under this By-law, and where that information is not provided in the form and manner required by the Fire Chief, the Fire Department may refuse to issue that permit.

9. Offences

Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the *Provincial Offences Act,* R.S.O. 1990, Chapter P.33.

10. Enforcement

10.1 The following persons are authorized to enforce this By-law:

(a) the General Manager of Community Services and every authorized by-law enforcement officer for the City; and

(b) the Fire Chief, the Chief Fire Prevention Officer, and each member of the Fire Department designated as an Assistant to the Fire Marshall; and

(c) every police constable.

10.2 From time to time, the General Manager of Community Services may approve all such forms as may be contemplated under this By-law, including forms of permit and applications for permit, and an applicant for any permit under this By-law shall use the appropriate form of application and provide all information required thereon.

11. Pyrotechnics

11.1 No person, other than a person who holds a current and appropriate level of certificate for the type, size, number and location of the pyrotechnic materials in question for the type of pyrotechnic materials being used, shall

(a) have in his or her custody or control, any pyrotechnic materials, unless that person is,

(i) a manufacturer, wholesaler or retailer of such materials who holds all requisite licenses to act in that capacity, and the materials in question are in that person's custody solely in connection with that business; or

(ii) lawfully carrying the pyrotechnic materials in transit through the City, whether as a public carrier or as an employee of a person described in sub-clause (i); or

(b) perform or carry out any pyrotechnic display, special effects, event, exhibition or operation.

11.2 Every pyrotechnic display, special effects, event, exhibition or operation carried out in the City shall be performed or carried out safely, in accordance with

(a) prevailing best practice in the pyrotechnic trade, and

(b) the specifications, recommendations or requirements, as the case may be, set down in the Pyrotechnics Special Effects Manual as issued and updated from time to time by the Explosives Regulatory Division of Natural Resources Canada.

11.3 For the purposes of this section, "certificate" means a current certificate issued by or under the authority of Natural Resources Canada.

12. Miscellaneous

12.1 The following By-laws regulating the sale and display of fireworks and usage of pyrotechnics are repealed:

(a) By-law No. 79-128, of the former City of Hamilton;

(b) By-law No. 90-198 of the former City of Hamilton;

(c) By-law No. 3811-93 of the former City of Stoney Creek;

(d) By-law No. 95-30 of the former Town of Ancaster,

and all amendments thereto.

12.2 This by-law comes into force and effect on the date of its passing and enactment.

12.3 This by-law may be cited as the *Fireworks By-law*.

SCHEDULE "A"

Prohibited Fireworks

COMMODITY	DESCRIPTION
Cigarette loads or plugs	Small explosive charges designed for insertion in cigarettes or cigars which will cause them to explode after the victim takes a few pulls.
Exploding matches	Resemble ordinary book matches and are designed to explode after a certain delay, usually about the time they are in position to light a cigarette.
Sparkling matches	Also resemble the normal book matches but send out a shower of sparks.
Ammunition for miniature tie clip, cufflink or key chain pistols	A violent type of blank ammunition made up for use as a novelty.
Auto alarms or jokers	Supposedly designed as burglar alarms but are really for a practical joke; when wired to the ignition system of a car they operate with a loud screeching whistle followed by copious emission of smoke and a loud explosion.
"Cherry" bombs, M-80 and silver salutes and flash crackers	Very violent firecrackers which annually cause serious injuries; they are considered far too violent and contain an excessive charge of a prohibited fireworks composition.
Throw-down and step-on torpedoes, and cracking balls	Small objects designed to explode on impact; some of the latter are so shaped and coloured as to look like children's breakfast cereal or candy balls.
Exploding golf balls	Designed to explode and emits a cloud of smoke on impact.
Stink bombs and smoke bombs	Often made to resemble cherry bombs and salutes; are used for practical jokes (also prohibited from importation under Memorandum D33-1 Importation of Offensive Weapons).
Tear gas pens and launchers	Resemble a pen, may contain a mechanism activated by an explosive, and are supposedly for protection against muggers, but are more commonly used as offensive weapons or as practical jokes (also prohibited under Memorandum D33-1).
Party poppers and	Designed to project paper streamers or dispense party favours.

table bombs	The smaller ones are made of coloured plastic, shaped like champagne bottles.
Table rockets and bottle skyrockets	Small fireworks designed to be launched from a table or a bottle and bursting in a shower of sparks or a cloud of smoke.
Fake firecrackers and other trick devices or practical jokes	Any article which employs or stimulates an explosive or a pyrotechnic for a trick or a joke.

PASSED and ENACTED this day of , 200 .

MAYOR

CLERK

APPENDIX B

HAMILTON EMERGENCY SERVICES
FIRE

FAMILY FIREWORKS SALE PERMIT APPLICATION

SALE LOCATION:

SALE DATES: VICTORIA DAY ☐ CANADA DAY ☐
(AND THE SEVEN DAYS PRECEEDING)

STORE: (FEE: $---------) ☐

TRAILER: (FEE: $---------) ☐

PAID BY: CASH ☐

CHEQUE ☐

NAME OF APPLICANT:

MAILING ADDRESS:

POSTAL CODE:

TELEPHONE:

APPLICANTS SIGNATURE: ____________________

DATE: __________

BY SIGNING THIS PERMIT, THE APPLICANT AGREE'S TO COMPLY WITH ALL REQUIREMENTS AS REFERENCED IN THE FIREWORKS BY-LAW (BY-LAW NO. 02-) AND WITH ALL OF THE GUIDELINES ON THE REVERSE SIDE OF THIS PERMIT OR AS ATTACHED TO THIS PERMIT

HAMILTON FIRE SERVICE USE ONLY

INSPECTED BY: ____________________
(OFFICER/INSPECTOR)

DATE: ____________________

ADDITIONAL GUIDELINES ATTACHED:
YES ☐ NO ☐

COPY OF FIREWORKS BY-LAW REQUIREMENTS GIVEN TO APPLICANT: ☐

WRITTEN PERMISSION OBTAINED FROM OWNER OF LAND ON WHICH TRAILER IS SITUATED:
NOT APPLICABLE ☐ YES ☐

PERMIT APPROVED BY: ____________________ ON ____________________
(OFFICER/INSPECTOR) (DATE)

FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS AS NOTED IN THE FIREWORKS BY-LAW, (BY-LAW NO. 02-) AND, IF APPLICABLE, THE GUIDELINES ATTACHED TO THIS PERMIT, WILL NEGATE THIS APPROVAL FOR THE SALE OF FAMILY FIREWORKS. FURTHER, THIS DEPARTMENT WILL PROCEED TO PROSECUTION AGAINST YOU AS THE PERMIT HOLDER FOR NON-COMPLIANCE WITH THE FIREWORKS BY-LAW

PERMIT VALID FOR THE SALE OF FAMILY FIREWORKS ON VICTORIA DAY, CANADA DAY AND EACH OF THE SEVEN DAYS IMMEDIATELY PRECEEDING VICTORIA DAY AND CANADA DAY.

GUIDELINES FOR THE SALE OF FAMILY FIREWORKS FROM TRAILERS – NO PUBLIC ENTRY

☐ The trailer must be situated at a safe distance from stores, occupied buildings, gas stations, roads, sidewalks and parking areas – any "public area". The quantity/distance table below provides the minimum acceptable separation. Pylons, snow fence, etc. is to be used to maintain a "no encroachment zone" around the trailer by the general public.

☐ The trailer is to be provided with 24 hour security. Security guards are to be equipped with phones able to call 911 if needed. Security guards may be from a bonafide security company or from your own membership. Should the fireworks be removed when trailer unattended, no security is required.

☐ "No Smoking" and "Fireworks" signs must be posted on the trailer and on the approach to the trailer.

☐ Provide fire extinguishers for each employee to combat possible fires that are NOT part of the fireworks themselves. If the fire is approaching or has reached the product, all efforts must be concentrated on evacuation and crowd control.

☐ Orders are to be placed outside of the trailer from a "sample board" with employees only entering the trailer and compiling the orders.

GUIDELINES FOR THE SALE OF FAMILY FIREWORKS FROM TRAILERS – WITH PUBLIC ENTRY

☐ The trailer must be situated at a safe distance from stores, occupied buildings, gas stations, roads, sidewalks and parking areas – any "public area". The quantity/distance table below provides the minimum acceptable separation. Pylons, snow fence, etc. is to be used to maintain a "no encroachment zone" around the trailer by the general public.

☐ The trailer is to be provided with 24 hour security. Security guards are to be equipped with phones able to call 911 if needed. Security guards may be from a bonafide security company or from your own membership. Should the fireworks be removed when trailer unattended, no security is required.

☐ "No Smoking" and "Fireworks" signs must be posted on the trailer and on the approach to the trailer.

☐ Provide fire extinguishers for each employee to combat possible fires that are NOT part of the fireworks themselves. If the fire is approaching or has reached the product, all efforts must be concentrated on evacuation and crowd control.

☐ The trailer shall be equipped with two separate doors for exiting.

☐ An employee at or in the trailer will regulate the number of shoppers and enforce the smoking prohibition.

☐ Individual "lots" of fireworks in the trailer shall not exceed 25kgs.

QUANTITY/DISTANCE TABLE FOR FAMILY FIREWORKS

Quantity (kilograms)	Distance (meters)		Quantity (kilograms)	Distance (meters)	
	From a dwelling,store,school, hospital,factory,gas station,garage, flammable storage	From a highway,road,street, railway,park,open public area,work area within a site		From a dwelling,store,school, hospital,factory,gas station,garage, flammable storage	From a highway,road,street, railway,park,open public area,work area within a site
50	17	9	4,000	49	25
100	20	10	5,000	50	26
200	24	12	7,500	53	27
300	27	14	10,000	55	28
400	30	15	15,000	59	30
500	34	17	20,000	61	31
1,000	39	20	25,000	62	32
1,500	42	21	30,000	64	32
2,000	44	22	40,000	66	33
2,500	45	23	50,000	68	34
3,000	47	24	100,000	72	36

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

7.3

COMMUNITY SERVICES DEPARTMENT
Emergency Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager
Date:	August 29, 2002	**Prepared by:**	Glen Peace (905) 546-3341

SUBJECT: City of Hamilton Open Air Burning Regulations (CS02082) (City Wide)

RECOMMENDATION:

a) That By-law No. 4583-97, as amended, passed by The Corporation of The City of Stoney Creek, namely "The Open Air Burning By-law", be hereby repealed;

b) That By-law No. 510-94, passed by The Corporation of the Township of Glanbrook, namely "A By-law to Regulate the Setting of Fires", be hereby repealed;

c) That By-law No. 1360, passed by The Township of Ancaster, namely "A By-law to Regulate the Setting of Bon Fires in the Township of Ancaster", be hereby repealed;

d) That the City of Hamilton Open Air Burning Regulations By-law, attached hereto report CS02082 as **Appendix A**, be passed and enacted to provide legislation respecting the conducting of open air burning in the City of Hamilton with the applicable fees as per the "Fees for Services and Cost Recovery by the Hamilton Emergency Services – Fire" By-law.

William E. Fenwick, Acting General Manager
Community Services Department

EXECUTIVE SUMMARY:

At present there are six different procedures in effect, dealing with open air burning within the former municipalities in the City of Hamilton. The application of each set of procedures is limited to the geographic region representing the former area municipality in which the procedures were enacted. While there are some regulatory similarities from

area to area, there are also significant differences, with respect to By-laws, fees charged and guidelines, all of which tend to create an unacceptable state of confusion for residents and enforcement by staff.

The proposed By-law will replace the six different existing methods of dealing with open air burning approvals and implement a uniform set of procedures across the "New" City.

The benefits include:

- Less confusion for the public
- Increased safety with the establishment of a permit system with associated guidelines
- Greater administrative efficiency as the result of having only one set of procedures to enforce
- Recovery of the costs associated with enforcement
- Reduction in the number of needless responses by Hamilton Emergency Services – Fire

The fees proposed in the By-law for Fees for Services and Cost Recovery by the Hamilton Emergency Services – Fire are:

- $20 for a permit allowing open air burning in rural areas
- $120 for an inspection of an urban location to determine if a safe exemption to the urban "no burn" rule can be granted
- $350/vehicle for 1st hour and $175/vehicle for each subsequent ½ hour for second emergency response where open air burning without permit or where guidelines are not being met.

This By-law and applicable fees will come into force and effect on January 1, 2003.

BACKGROUND:

The recommendations/information contained in report CS02082 have City Wide implications.

The City of Hamilton Act, 1999, S.O. 1999 Chapter 14, Schedule C Incorporated, as of January 1st, 2001, the municipality "City of Hamilton"; and provides that:

(a) The City of Hamilton is the successor to the former area municipalities of the Corporation of the Town of Ancaster; the Corporation of the Town of Dundas; the Corporation of the Town of Flamborough; the Corporation of the Township of Glanbrook; the Corporation of the City of Hamilton; the Corporation of the City of Stoney Creek; and the Regional Municipality of Hamilton-Wentworth;

(b) The By-laws of the former area municipalities and the regional municipality are to continue in force and effect within the geographic boundaries representing the enacting municipality, until subsequently amended or repealed by the Council of the City of Hamilton.

The former area municipalities, now forming the City of Hamilton, each had different methods of regulating open air burning, along with different costs and guidelines. The following is a brief synopsis of how each former municipality dealt with this issue:

- **City of Stoney Creek:** A By-law was passed which regulated open air burning. In addition, open air burning permits were issued with costs ranging from $10 for residential properties to $100 for commercial/industrial properties. The City of Stoney Creek By-law did not create zones (urban and rural areas) and as such, did allow open air burning in the urban areas. Each permit application required that Fire Prevention staff attend at the burn site.

- **Town of Ancaster:** The Town of Ancaster utilized an open air burning permit system with associated guidelines. Permits cost $10 each. Any contravention of the guidelines would result in the permit approval being revoked and a fee being levied for the emergency response. This charge would be applicable only after a second response. Permits were in effect for one calendar year. Open air burning was prohibited in urban areas. A By-law dating back to 1952 that dealt with the setting of bonfires was located and further investigation revealed that it has not been repealed. It is questionable as to whether or not this By-law can be enforced.

- **Town of Flamborough:** The Town of Flamborough regulated open air burning utilizing The Ontario Fire Code. A permit system was in effect with no fee charged for the permit. The permit listed a number of guidelines to be followed and allowed for a user fee to be applied in the event of an emergency response. Any violation could also result in a charge being filed for non-compliance with the Ontario Fire Code. Emergency responses were subjected to a user fee if the open air burning was found to be not in compliance. No open air burning was permitted in the urban Waterdown area.

- **Township of Glanbrook:** A By-law was passed which regulated open air burning. Residents of Glanbrook received a copy of the By-law with their tax bills. Residents were expected to comply with the By-law and were required to notify the Fire Chief when they were burning. This notification to the Fire Chief was accomplished by calling in to a published phone number and leaving a message. There were no permits issued and no inspections conducted by the Fire Department.

- **Town of Dundas:** The Town of Dundas utilized an open air burning permit system. There was no fee applied for permits at residential properties but there is a $50 fee applied for permits at commercial and industrial properties. All permits were valid for one month. Inspections were carried out only at the discretion of the Station Captain and a list of burning guidelines was given to each applicant.

- **City of Hamilton:** Requests for open air burning were subject to an inspection fee of $107 (including GST). Approvals granted were subject to a number of guidelines and failure to follow those guidelines would result in revocation of the permit and possible charges under the Ontario Fire Code. Approvals granted were for a period of 30 days however, extensions could be granted. Due to past problems with open air burning in urban areas, this Department initiated a policy in which they would no longer entertain requests by developers etc. for large-scale open air burning operations related to the clearing of land. These burning operations in urban areas have proven to cause numerous false alarms and nuisances to neighbouring properties. The City has become too built up to consider these requests any longer.

The Ontario Fire Code, O. Reg. 388/97, as amended, requires citizens to obtain approval from the Chief Fire Official for all open air burning that does not comply with Article 2.6.3.4. of the Ontario Fire Code. This article states: “open air burning shall not be permitted unless **approved** (by the Chief Fire Official), or unless such burning consists of a small confined fire, supervised at all times, and used to cook food on a grill or a barbecue”.

The implementation of a By-law and associated permit system will allow the Chief Fire Official to track and control the type and location of open air burning within the City of Hamilton while also providing enforceable guidelines to ensure that approved open air burning is conducted in a safe manner.

It is recognized that within the new City of Hamilton there exists both urban and rural environments. The proposed By-law and permit system would clearly define prohibited zones within the City of Hamilton where open air burning would not be permitted. The establishment of these prohibited zones would be based upon those areas designated as urban as per the City’s Planning Department. By not allowing open air burning within these areas, the number of complaints received would be reduced. As well, there would be a reduction in the number of emergency responses for nuisance type fires and false alarms due to smoke impacting upon neighbouring properties.

Properties in the rural areas could receive an open air-burning permit for an administrative fee. No inspection of the site would be carried out. The permits will contain the proper safety procedures to be taken in order to address safety concerns (i.e.: size of fires, distance from buildings etc.).

Premises in the urban areas would **not** be permitted to have open air burning on their properties. Understanding that there may be some extenuating circumstances to this urban area restriction which may justify a safe exemption (i.e.: picket line fires, fire extinguisher training etc.) citizens can request that an inspection be conducted of their proposed open air burning site. An inspection fee would be charged (exception: fire extinguishing training). The proposed cost of inspections is based upon a cost recovery basis. It would cover the costs associated with the time an Inspector spends conducting the inspection, as well as the associated report writing and documentation. This inspection does not automatically infer that a permit would be issued, only that an inspection would be done to determine if the urban area restriction can be safely lifted and ensure that a fire, if permitted, will not cause a nuisance or risk to neighbouring properties. Once a permit has been issued, any violation of the guidelines would result in the revocation of the permit and possible charges for non-compliance with Article 2.6.3.4. of the Ontario Fire Code.

The above noted procedure would involve minimal staff resources with the majority of open air burning requests. These permit application forms would be available at all three Fire Prevention Offices as well as Station's 12, 17, 21, 23, and 24 (full time stations in the former municipalities of Stoney Creek, Ancaster, Dundas and Waterdown). In the future, citizens will also be able to obtain permits from the various Municipal Service Centres, which will better serve the citizens of Hamilton. Regardless of the date of issue, a permit will be valid for the calendar year. The permit fees and inspection fees described above will be those as referenced in the User Fee By-law.

There are a number of recreational parks, trailer parks and conservation area parks located within the City of Hamilton. These locations would require only one permit to be issued for each park.

Farming operations are exempt from the requirements of the Ontario Fire Code; however, they are not exempt from the requirements of the Fire Protection and Prevention Act nor from the intent that all open air burning be conducted in a safe manner. Farms located in the rural areas of the City will be permitted to conduct open air burning with the issuance of a permit containing safe guidelines regarding the size of fires and safe distances from buildings. Some farm properties may lie within the urban areas of the City, and, therefore, would not normally be permitted to conduct any open air burning. Owners of these farm properties who feel that an open air fire on their property would not violate any of the guidelines associated with the permit, may request an inspection of their property (inspection fee applicable) and an Inspector from the Fire Prevention Division will conduct that inspection to determine if a permit could be issued.

Guidelines applicable to the open air burning, as well as any associated costs with the application are printed on the permit form, attached hereto report CS02082 as **Appendix B**. The guidelines also include a reference to the City of Hamilton Smog Response Plan. On days declared as Smog Alert days, open air burning will be prohibited.

Once a permit has been issued, any violation of the guidelines would result in the revocation of the permit and possible charges for non-compliance with either The Ontario Fire Code or the Fire Protection and Prevention Act, as applicable. In addition, a fee would be levied for any second emergency response to an address where open air burning is being conducted without a permit or where the guidelines are not being adhered.

In recognition of improving environmental/air quality issues and practices, long term educational efforts will recommend discontinuing open air burning where approved yard waster programs exist.

Council may wish to revisit this issue in the future and seek further reductions to Open Air Burning Practices.

ANALYSIS OF ALTERNATIVES:

Status quo is not recommended. There must be one standard regulation on this issue to allow for consistent recognition, application and enforcement throughout the City. Status quo will not achieve this.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

It is anticipated that a projected revenue of $15,000 from permit fees and $14,000 from second emergency responses to open air burning incidents will recover the associated staffing and response costs.

An adjustment to staffing levels may be necessary in the future if existing staff are unable to adequately deliver the service.

There are no legal implications.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Finance and Corporate Services Department
TOE – Waste Management Division
Social & Public Health Services – Medical Officer of Health

CITY STRATEGIC COMMITMENT:

This report's recommendations are consistent with the strategic commitments of Vision 2020 – A Sustainable City.

APPENDIX A

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Regulate Open Air Burning

WHEREAS at present there are six different procedures in effect across the City to regulate open air burning;

AND WHEREAS it is in the interests of the City to adopt a uniform scheme of regulation with respect to open air burning;

AND WHEREAS the *Ontario Fire Code* O. Reg. 388/97, as promulgated under the *Fire Protection and Prevention Act,* provides the basis for a satisfactory scheme of uniform regulation.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

1.1 In this By-law

(a) "City" means the City of Hamilton;

(b) "conduct" means with respect to a fire to burn, or to set a fire for burning;

(c) "Fire Chief" means the City's Director of Emergency Services;

(d) "Fire Department" means Hamilton Emergency Services-Fire;

(e) “open air burning” means any fire that is conducted outside a building,

  (i) including a fire conducted in a garden, yard, alley, field, park, industrial site, construction site, building lot, parking lot, street, or other open place, but

  (ii) excluding the operation of welding or similar equipment, the operation of a coal or wood fired locomotive or boat, or a controlled burn that is part of a manufacturing process;

(f) “Permit” means permission to conduct open air burning granted by the City issued under section 2 of this By-law;

(g) “occupant” means the person having effective control over or apparent possession of any property or the relevant portion thereof, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property

(h) “owner” means the registered owner of property;

(i) “property” means any public or private land, building, structure or other real property within the City.

1.2 In this By-law,

(a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof;

(d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;

(e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings; and

(f) where an officer of the City is named, or a reference is made to an office of the City, that reference shall be deemed to include a reference to the designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. Permit Procedure

2.1 Any person eighteen years of age or over, who is the owner or occupant of a property within the City, or who has been authorized in writing by the owner or occupant of such property, may apply to the Fire Department for a Permit to conduct an open air burning.

2.2 The person to whom a Permit is granted shall be present in person at all times during which the burn is being conducted and cleaned up, and shall be responsible for the manner in which the same are carried out.

2.3 The Fire Department shall not issue a Permit under this section where it is of the opinion that the proposed site at which the open air burning is to be conducted is not suitable for that purpose.

2.4 Where the proposed site at which an open air burning is to be conducted is within the urban boundary of the City as defined in the Regional Official Plan, no Permit shall be issued unless the Fire Department has carried out an inspection of the proposed site to determine whether the burn can be safely conducted without nuisance or risk to neighboring properties, the proof of which shall lie on the applicant.

2.5 An applicant for a Permit under this section shall provide, together with his or her application,

(a) such information or authorization as is required under this By-law;

(b) where required by the City, evidence of insurance on such terms and in such amount as the City's Manager of Risk Management may prescribe from time to time;

(c) a description of the site to be used for the open air burning, sufficient to identify each site for which application is made;

(d) such further information as the Fire Department may reasonably require.

2.6 A Permit issued under this section is valid on the date of issue and for the balance of the calendar year in which the permit is issued.

2.7 A Permit issued under this section may be made subject to such terms and conditions as the Fire Department may consider to be necessary in the interests of public safety, or to minimize inconvenience to the general public, or advisable in the circumstances or to give effect to the objects of this By-law, and every Permit holder shall comply with those terms and conditions.

2.9 From time to time, the Fire Chief may promulgate guidelines respecting the conduct of open air burning within the City, and where such guidelines are promulgated,

(a) all such guidelines shall be deemed to constitute terms and conditions applicable to any Permit subsequently issued, so long as they remain in force; and

(b) the Fire Department shall give a copy of the current guidelines to any person to whom a Permit is issued under this By-law.

2.10 A Permit issued under this By-law is not transferable.

2.11 Where any holder of a Permit fails or refuses to comply with a term or condition to which the Permit is subject, the Fire Department shall immediately revoke the Permit and shall forthwith send a written notice of that revocation to the Permit holder and of the occupant of the site at which the fire was to be conducted, if not the same person.

2.12 The Fire Department may require an applicant for a Permit under this By-law to provide such information as the Fire Chief considers necessary or advisable in his or her reasonable discretion to allow the Fire Department to make an informed decision as to whether or not to grant a Permit under this By-law, and where that information is not provided in the form and manner required, the Fire Department may refuse to issue that Permit.

3. Conduct of Open air burning

3.1 Every person to whom a Permit is issued under section 1 shall:

(a) produce the Permit on demand to any person authorized to enforce this By-law;

(b) permit the inspection by the Fire Department of any site where the fire is being, is proposed to be, or has been conducted, and

(c) comply with all guidelines governing the conduct of the open air burning, and such directions as may be given by a member of the Fire Department with respect to the fire.

3.2 Every person to whom a Permit is issued under this section shall, immediately after the fire is conducted and extinguished, carry out a site inspection and shall

(a) remove all unburned flammable material from the site of the fire;

(b) gather together and remove all ash and other debris remaining into a fire resistant receptacle;

(c) return the site to the condition it was in prior to the conduct of the fire.

3.3 So long as an open air burning is burning, the site of that fire shall be kept under continual surveillance by a person eighteen years of age or older, until the final site inspection has been completed by Permit-holder identified under section 3.2.

3.4 No person shall conduct an open air burning in a manner that creates a nuisance, taking into account all associated noise, smoke, sparks and other dangers relating to the spread of fire, the risk of explosion, and risk of death, injury and damage to property inherent in the conduct of a fire.

3.5 A person who conducts an open air burning shall use reasonable care to ensure that the site of the fire is not accessible to children.

4. Offenses

4.1 No person shall carry out, or permit a person to carry out on property of which he or she is the owner or occupant, any open air burning unless that person is the holder of a current Permit authorizing that burning to take place.

4.2 Section 4.1 does not apply where the open air burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbecue.

4.3 No open air burning shall be carried out at a time when a smog alert or smog advisory is in effect within the City or any part of the City, other than an open air burning within the scope of section 4.2.

4.4 No person shall carry out open air burning in an unsafe manner, or in a manner inconsistent with any terms and conditions applicable to the Permit issued under this By-law.

4.5 Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the *Provincial Offences Act,* R.S.O. 1990, Chapter P.33.

5. Enforcement

5.1 The Fire Chief, the Chief Fire Prevention Officer, and every member of the Fire Department designated as an Assistant to the Fire Marshall are authorized to enforce this by-law.

4.2 From time to time, the Fire Chief may approve all such forms as may be contemplated under this By-law, including forms of Permit and applications for Permit, and an applicant for any Permit under this By-law shall use the appropriate form of application and provide all information required thereon.

6. Repeals

6.1 The following By-laws are repealed:

(a) the *Open Air Burning By-law* of the former City of Stoney Creek, being By-law No. 4583-97 of that City;

(b) the *By-law to Regulate the Setting of Fires* of the former Township of Glanbrook, being By-law No. 510-94 of that Township;

(c) the *By-law to Regulate the Setting of Bonfires* of the former Township of Ancaster, being By-law no 1360 of that Town,

and all amendments to those By-laws.

6.2 This by-law comes into force and effect on January 1, 2003.

6.3 This by-law may be cited as the *Open Air Burning By-law.*

PASSED and ENACTED this day of , 2002.

MAYOR

CLERK

APPENDIX B

HAMILTON EMERGENCY SERVICES
FIRE

DATE: ______________________________

(Permit valid for the calendar year)

OPEN AIR BURNING PERMIT

LOCATION OF BURN SITE:

EXTINGUISHER TRAINING: ☐
(no fee applicable)

STRIKE/PICKET LINE: ☐

NAME OF APPLICANT:
(include names of others over 18yrs of age who may conduct open air burning)

MAILING ADDRESS:

POSTAL CODE: **TELEPHONE:**

APPLICATION FEE: $-- (RURAL)
INSPECTION FEE: $---- (URBAN)

TOTAL PAID: $_____________ **CASH** ☐ **CHEQUE** ☐

PERMIT APPROVED: ☐ **MAX. PILE SIZE: STANDARD 2m x 2m x1m in height:** ☐
PERMIT DENIED: ☐ **: OTHERWISE APPROVED – Size:** _______________

PERMIT APPLICATION REVIEWED BY: ______________________________

APPLICANTS SIGNATURE: ______________________________

BY SIGNING THIS PERMIT, THE APPLICANT AGREE'S TO COMPLY WITH ALL GUIDELINES SHOWN ON THE REVERSE SIDE OF THIS FORM.

OPEN AIR BURNING WILL BE PERMITTED IN AREAS DESIGNATED AS RURAL. OPEN AIR BURNING IN URBAN DESIGNATED AREAS WILL NOT BE PERMITTED, UNLESS APPROVED BY THE CHIEF FIRE OFFICIAL. ANY APPROVAL IS SUBJECT TO AN INSPECTION AND ASSOCIATED FEE BY THE HAMILTON FIRE SERVICE.

URBAN AND RURAL AREAS ARE AS DESIGNATED IN THE OFFICIAL PLAN FOR THE CITY OF HAMILTON

FAILURE TO COMPLY WITH ANY OF THE GUIDELINES NOTED ON THE REVERSE SIDE OF THIS PERMIT WILL NEGATE THE APPROVAL FOR BURNING. FURTHER, THIS DEPARTMENT WILL PROCEED TO PROSECUTION AGAINST YOU AS OWNER FOR NON-COMPLIANCE WITH EITHER ARTICLE 2.6.3.4. OF THE ONTARIO FIRE CODE OR THE FIRE PROTECTION AND PREVENTION ACT. THOSE FOUND TO BE IN VIOLATION OF THE GUIDELINES AS SET OUT IN THIS PERMIT OR CONDUCTING OPEN AIR BURNING WITHOUT A PERMIT SHALL BE HELD LIABLE FOR COSTS INCURRED BY THE HAMILTON FIRE SERVICE FOR ANY EMERGENCY RESPONSE. THOSE COSTS ARE IDENTIFIED IN ITEM #14 ON THE REVERSE SIDE OF THIS PERMIT.

IN THE INTEREST OF PUBLIC SAFETY, THE HAMILTON FIRE SERVICE RESERVE THE RIGHT TO ISSUE A BAN OR TEMPORARILY SUSPEND ALL APPROVALS FOR OPEN AIR BURNING. SHOULD CONDITIONS AS DETERMINED BY THE HAMILTON FIRE SERVICE WARRANT SUCH ACTION, ANY PERSON FOUND TO BE CONDUCTING OPEN AIR BURNING IN CONTRAVENTION OF SUCH A BAN IS GUILTY OF AN OFFENCE UNDER EITHER THE ONTARIO FIRE CODE OR THE FIRE PROTECTION AND PREVENTION ACT.

APPROVAL GUIDELINES FOR OPEN AIR BURNING

1. Permits are required for each site and are valid for the calendar year for which it was issued. Permits must be available for viewing at the burn site upon request.

2. The fire is to be attended and supervised at all times.

3. All fires are to be completely extinguished at the end of each working/burning day.

4. Complaints received regarding problems associated with smoke may be cause for an approval to be rescinded. Burning is not to take place when winds will cause smoke to be an annoyance to nearby properties or roadways.

5. All fires must be kept to a maximum size of 2m x 2m x 1m in height, unless otherwise approved by the Chief Fire Official. Recreational campfires must be kept to a maximum size of 0.6m in diameter and must be confined (i.e. steel tire rim, bricks, stone).

6. With the exception of recreational campfires and outdoor fireplaces, open air burning within 30m of any building or other combustible material shall not be permitted. Recreational campfires and outdoor fireplaces must have a minimum 3m clearance to any building or combustible material.

7. Only the burning of clean wood and brush is permitted. As an alternative, it is recommended that wood and brush be disposed of in accordance with the City's Leaf and Yard Waste Collection Program – details included in Permit Package.

8. Equipment capable of extinguishing the fire at any time conditions warrant is to be on site at all times burning is carried out. (ie: portable fire extinguishers, garden hose, portable pump and hose, bobcat etc.)

9. The permit holder must contact The Ministry of the Environment, (905) 521-7640, and comply with the Environmental Protection Act.

10. Open air burning shall not be carried out on **Smog Alert** days as declared by the City of Hamilton. Smog Aler days are declared when the Air Quality Index is expected to reach 50, a level that can impact the health of citizens. Citizens should call the City of Hamilton at (905) 546-CITY for information pertaining to days designated as Smog Alert days. Information can also be obtained by calling the Ontario Ministry of the Environment Air Quality Index Reporting System at 1-800-387-7768

11. The use of outdoor fireplaces is deemed to be open air burning and requires the issuance of a permit. This permit is only available for rural designated locations. The attached sheet lists guidelines for the use of outdoor fireplaces.

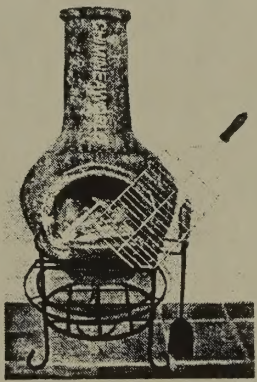
12. Open air burning during a strike shall comply with items 2, 3, 4, 6, 7, 8, 9 and 10 and also be subjected to the following additional requirements:
    - only one drum shall be used at each location/s
    - fires to be confined to the drums
    - storage of wood is to be kept a minimum of 1m away from barrel
    - the drums shall be kept away from any buildings, vehicles and any combustible material adjacent to the property
    - the approval is only for the duration of the strike.

13. Open air burning for live fire extinguisher training requires an issuance of a permit however will not be subjected to a permit fee. Extinguisher training must comply with items 2, 3, 4, 6, 8, 9 and 12. The pan is to be limited to a maximum size of 60cm x 90cm x 15cm in depth. (24" x 36" x 6" in depth). All relevant safety requirements as identified in the fuel source's MSDS sheet, are to be adhered to.

14. All persons setting an open fire shall be liable for costs incurred by the Hamilton Emergency Services - Fire for an emergency response to any address in violation of the guidelines or investigations of burning complaints of illegal burning. These costs include $350 per hour for each responding vehicle for the 1st hour and $175 per ½ hour for each responding vehicle thereafter.

GUIDELINES FOR THE SAFE USE OF OUTDOOR FIREPLACES

Outdoor style fireplaces, currently sold in the Hamilton area, including but not limited to the "Back-Yard Max and "Chiminea's", are deemed to constitute open air burning and are not permitted in the urban areas of The City of Hamilton. The use of these outdoor fireplaces will be permitted in the areas of the City designated as rural, with the issuance of a permit. The following pictures, show some of the common type's of outdoor fireplaces available.



The use of outdoor fireplaces is to comply with the manufacturer's safety guidelines and operating instructions. In the absence of manufacturer's safety guidelines, the following guidelines are to be complied with:

1. The outdoor fireplace must be installed on a non-combustible surface.

2. Maintain a minimum three-metre clearance between the fireplace and combustible objects and surfaces to prevent ignition from radiant heat.

3. Burn wood products only. Petroleum products, rubbish, grass, plastics, rubber or any other material that may cause excessive heat or smoke is not permitted.

4. The amount of material being burnt is to be limited to ensure that the flames are confined to the unit and do not extend into the chimney. .

5. Permits are required for each site and are valid for the calendar year for which it was issued. Permits must be available for viewing at the burn site upon request.

6. The fire is to be attended and supervised at all times.

7. All fires are to be completely extinguished at the end of each use.

8. Complaints received regarding problems associated with smoke may be cause for an approval to be rescinded. Burning is not to take place when winds will cause smoke to be a safety hazard or an annoyance to nearby properties or roadways.

9. Equipment capable of extinguishing the fire at any time conditions warrant is to be on site at all times burning is carried out. (ie: portable fire extinguishers, garden hose, sand).

ADDITIONAL SAFETY GUIDELINES:

1. Check the unit regularly for the appearance of cracks or other physical deterioration.

2. The fireplace must not be touched while there is a fire burning. Wait at least 30 minutes after the fire is out before touching the fireplace, use gloves if necessary.

SECTION

SECTION 9

SECTION 10

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

10.1

FINANCE AND CORPORATE SERVICES
Budgets and Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	September 13, 2002	**Prepared by:**	M. Zegarac 546-2739 T. Hewitson 546-4159 R. Rossini 546-4523

SUBJECT: **2003 Water & Wastewater Rate Budget Process. (FCS02101)(City Wide)**

RECOMMENDATION:

THAT the proposed 2003 Rate Budget schedule as contained in Schedule 1 to Report FCS02101 be approved.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

The purpose of this report is to recommend a tentative 2003 Rate Budget schedule and to advise Council of the public consultation process in advance of presenting the budget for water and wastewater services. The 2003 Rate Budget would be submitted to Council for its consideration in November, 2002. The budget plan proposes to set out a financial strategy that focuses on the following key areas:

1. Infrastructure Asset Management System (Business Plan).

2. Water Quality Initiatives.

3. Residential Rate Subsidy Program

4. Industrial/Commercial Wastewater Abatement Program

5. Plant & Outstations

6. Development

Rate Budget (Water & Wastewater Service Only)

New utility rates should generally be implemented for a January 1st start up each year. Accordingly, the approval process for the water and sewer services budget along with new rates for 2003 can proceed ahead of the Tax Budget. It is recommended that the Rate Budget Report be prepared and distributed on November 22 followed by a Council Information Session, Committee of the Whole meeting and then final Council consideration / approval on December 11.

BACKGROUND:

Infrastructure Asset Management

In 2002, Council renewed it's commitment for a sustainable water and wastewater system by adopting the principle of sustainable pricing through a 12% increase in water/wastewater rates.

The 2002 Rate Budget report recommended a long-term rate strategy, premised on sustainable pricing and capital funding. The infrastructure for water and sewer services is at a stage in its life cycle where there is a significant amount of major maintenance, rehabilitation and replacement required on the system. The capital financing program is based on the overall objective of the protection of Hamilton's $3.3 billion in water and wastewater assets, and the furtherance of Council's goal of providing exceptional customer service and the best/safest potable water supply possible. The maintenance of this very valuable asset is obviously an important responsibility in terms of a sustainable community. Just as important, is the investment Hamilton continues to make towards meeting the Remedial Action Plan (RAP) objectives for improving Hamilton Harbour Water Quality.

Rate Subsidy Program

For the 2001 Rate Budget process, Council requested that staff review the impact of the proposed rate increases with respect to the affordability for low-income customers. In the 2002 Rate Budget Report, staff developed a theoretical analysis on the user pay systems, some examples of subsidy/lifeline programs and a recommended a possible longer term approach for the City of Hamilton. Staff were directed to develop a low-income utility rate subsidy program as the City proceeds towards sustainable water and wastewater capital asset financing and related rate increases. Staff will present to Council and the public during the outlook presentation Mid-November, a limited number of possible subsidy programs, as well as a recommended approach for the City of Hamilton.

Wastewater Abatement Policy

The current utility billing policy does not provide commercial/industrial ratepayers with the opportunity for an exemption from the payment of the wastewater charge for water not returned to the sewer system. In February of 2002, staff were directed to report back to Council, regarding sewer abatement policies. Staff are conducting a review of wastewater abatement policies and will bring forward, during the budget outlook presentation to Council and the public, a recommended wastewater abatement policy suitable for the City of Hamilton, recognizing our unique characteristics.

As in 2001, prior to submitting the proposed 2003 Rate Budget to Council, the following public consultation will take place to maintain an understanding of the public's response to the IAMS process.

Public Consultation

- During the 2002 Rate Budget process, staff held seven public consultation meetings. Residents attending the meetings received information identifying what the IAMS process is and how the process is being implemented. In addition, staff presented to the public the long-term financing strategy of achieving a sustainable water and wastewater system. For the 2003 Rate Budget process, staff are proposing to continue to communicate the need for a sustainable financing strategy, so as to ensure exceptional customer service and the best/safest potable water supply possible, while maintaining our continued support as a stakeholder in the Hamilton Harbour RAP. During the budget outlook presentation to Council and the Public (see Attachment 1 of FSC 02101), staff would introduce options for both the Residential Rate Subsidy and the Industrial/Commercial Wastewater Abatement Programs.

Large Water Users

- Staff have been meeting regularly with this group. It should be noted that the City's top 10 customers account for 19% of water/sewer revenues. Discussions have occurred on the IAMS strategy, wastewater abatement policy, and the potential impact of future rate increases on water demand/consumption.

ANALYSIS OF ALTERNATIVES:

Not Applicable.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not Applicable

POLICIES AFFECTING PROPOSAL:

Not Applicable

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not Applicable

CITY STRATEGIC COMMITMENT:

Not Applicable

Attachment 1

PROPOSED 2003 RATE BUDGET SCHEDULE	
DESCRIPTION	**TARGET DATE**
Review Draft Rate Budget CMT	November 7th
Budget Outlook to Council/Public • Present Residential Rate Subsidy Program • Present Wastewater Abatement Program	Mid-November
Print 2003 Rate Budget Book	November 21st
Council Information Session	November 27th
Committee of the Whole consideration of Rate Budget (Special COW)	December 2nd
Tentative Committee of the Whole consideration of Rate Budget (if necessary, as determined by Council)	December 10th
Final Council consideration of Rate Budget	December 11th

AFFECTS
WARD 12

CITY OF HAMILTON

12.1

PLANNING AND DEVELOPMENT DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 13, 2002 25T-95002	**Prepared by:**	P. Strong 905-546-2435

SUBJECT: Request for the Elimination of the Requirement for a Sidewalk on Kendrick Court and Blasdell Court (PD02200) (Ward 12)

RECOMMENDATION:

a) That the submission requesting the elimination of the requirement for sidewalks on Kendrick Court from Somerville Lane, easterly to the end of the cul-de-sac, in "Twin Gables Estates" subdivision, as Attachment "C" to Report PD02200, be received.

b) That the sidewalk location on Kendrick Court be revised to permit a 1.5m boulevard, a reduction from the approved 3.25m, in accordance with the approved engineering drawings.

c) That the request to eliminate the requirement for sidewalks on Blasdell Court, as shown on Attachment "B" to Report PD02200, be denied.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

A poll was conducted by Councillor Murray Ferguson's office, since numerous residents of the "Twin Gables Estates" subdivision had requested an amendment to the approved engineering drawings to eliminate the sidewalks in front of their homes to allow for additional parking of vehicles in their driveways.

BACKGROUND:

The former Town of Ancaster approved engineering drawings for the construction of services within "Twin Gables Estates" subdivision requiring sidewalk installation on one (1) side of the street for Kendrick Court and Blasdell Court (south side).

The developer of "Twin Gables Estates" was attempting to finish the installation of services for his subdivision with final asphalt and sidewalks this year. Due to the activity on site, staff of the Planning and Development Department received numerous calls from the residents in "Twin Gables Estates", on Kendrick Court and Blasdell Court, requesting that sidewalks not be installed on their street. Staff advised residents that Council approval would be required to eliminate sidewalks. The area residents then contacted their Ward Councillor's office. (See Attachments "A", "B", "C" and "D").

ANALYSIS OF ALTERNATIVES:

A polled response from the residents in the "Twin Gables Subdivision" on Kendrick Court and Blasdell Court was received by Councillor Ferguson's office. Eight-five percent (85%) of the residents on Kendrick Court participated in the poll and fifty-seven percent (57%) were in favour of sidewalks, however, with a reduced boulevard width. On Blasdell Court, eighty-one percent (81%) of the residents responded, of which seventy-six percent (76%) were not in favour of sidewalks.

Staff is recommending denial of the request to eliminate sidewalks on Blasdell Court and support the relocation of the sidewalk on Kendrick Court. Sidewalks within new plans of subdivision provide safe pedestrian access in the neighbourhood, away from vehicular traffic. Also, Blasdell Court is the main pedestrian link to the City park on Garner Road and to a future school site to the west of the park.

Under an existing Municipal By-law in Ancaster, it does not permit vehicles to park overnight on the street. Therefore, the owners must remove their cars from the roadways every evening. Reducing the width of the boulevard to 1.5m would allow the residents to park two (2) vehicles in their driveway, one behind the other.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – In the future, if neighbourhood residents request that a sidewalk be installed at this location, the cost of the work would have to be borne completely by the City of Hamilton.

Staffing – Not Applicable

Legal – None

POLICIES AFFECTING PROPOSAL:

The requirement for sidewalks varied across the different Area Municipalities. Some Area Municipalities required sidewalks be constructed on both sides, some only on one (1) side and no sidewalks in other cases. The City of Hamilton is presently designing harmonized standard road cross sections for the City of Hamilton, establishing when sidewalks will be required.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

- Legal Services

CITY STRATEGIC COMMITMENT:

The sidewalk, in addition to the boulevard, provides a level of safety between pedestrians and vehicular traffic.

:PS
Attachs. (4)

Appendix “A” to Report PD02200

August 27,2002

Re: Sidewalks on Kendrick Court, Blasdell Court

Dear residents

Several years ago when the former Town of Ancaster approved the Plan of Subdivision for Fields of Fiddlers Green, we were very proud to have the developer include sidewalks in the plan. We felt at the time that sidewalks were an enhancement that everyone would want, and felt as well, that it would be safer for the homeowners.
Recently I have received several calls from residents indicating they do not wish to have sidewalks. The sidewalks were to be placed 3.25 meters from the curb, are 1.5 meters wide and would be on the south side of Kendrick Court and Blasdell Court. One possibility that staff has offered would see the sidewalks installed @ 1.5 metres from the curb.
I need to know from each one of you very quickly what your wishes are. Therefore I am asking you to answer the following question and let me know via phone message, email or fax, 905-546-2535. **A decision will be made likely within the week.** After hours messages can be left on my phone 905-546-2704.

Name ....
Address...
....
Phone number ....

I do not want sidewalks installed..
1 do want sidewalks installed @ 1.5 metres from curb.......................

There are no financial implications to you as a result of a decision either way, but if they were to be cancelled, sidewalks would never be installed at the City’s expense in the future.
The above information will be held in the strictest of confidence.
Thank you for your time and once again urgency of response is most important.

Murray Ferguson

September 6, 2002

Re: Sidewalks on Kendrick Court, Blasdell Court

Dear Ancaster Resident

Thank you all for your responses to my recent mailing regarding the sidewalks proposed for Kendrick and Blasdell Courts.

The results of the poll for Kendrick Court showed 85% participation, 57% of residents voted Yes in favour of sidewalks, and 43% voted No. For Blasdell Court, 81% participation, 24% of residents voted Yes in favour of sidewalks, and 76% voted No. Therefore Kendrick Court will get sidewalks at 1.5 metres from the curb on the south side this fall.

The 1.5 metre boulevard is an excellent compromise and will address many of the original concerns voiced by you.

I will recommend to Council that Blasdell Court will receive no sidewalks now, or at any future point, from the City. Deletion of the sidewalks requires a Council Resolution. Should Council pass my recommendation then no sidewalks will be installed on Blasdell Court.

Once again, thank you for participating in this poll and welcome to Ancaster.

Murray Ferguson

Page

PLANNING & DEVELOPMENT DEPARTMENT
RECEIVED
SEP 10 2002
File #
File # PLHL

DATE: Thur. Aug 22/02

TO: Mr. Murray Ferguson

COMPANY NAME: Councillor Ward 12

FAX NUMBER: 905-546-2535

LOCATION: City Hall

FROM: Glenn Harrop

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 5

SPECIAL INSTRUCTIONS AND/OR MESSAGE:

Please review attached.
re: Petition for proposed Sidewalk.

August 22, 2002

Mr. Murray Ferguson
71 Main St. West
2nd Floor – City Hall
Hamilton, Ont.
L8P 4Y5

Dear Mr. Ferguson:

We are writing this letter to voice our concerns that the residents of Kendrick Court, in the Town of Ancaster, have regarding a proposed concrete sidewalk for our street.

We have been informed by a contractor, which is currently installing new sidewalk on Braithwaite Avenue in our survey, that there is to be a 1.5m concrete sidewalk installed on the south side of Kendrick Court, just east of Somerville Lane. This sidewalk will only affect six residences of Kendrick Court, being lots 103 thru 108. (see attached plans)

Our major concerns are if this sidewalk is installed, our single width driveways (30 ft. width lots) will not be able to have two vehicles parked in them without blocking and/or parking directly on the sidewalk. In the Town of Ancaster, there is a by-law against parking a vehicle overnight on any street. With the number of children that reside in the court, there is also a great safety concern of the children having to dodge the parked cars in driveways that are separated by the sidewalk, in hopes that none of the vehicles will back up.

The residents of Kendrick Court have signed a petition against this sidewalk being installed, with no objections, and are asking the Town of Ancaster to decide against installing it. (Petition attached)

Mr. Ferguson, time is of the essence in this case, as this sidewalk is to be installed in the next week. As our Councillor for Ward 12, we trust that you will represent us accordingly.

I can be reached in the day at 905-387-2334 or evening at 905-304-8431. Also at gharrop@cogeco.ca.

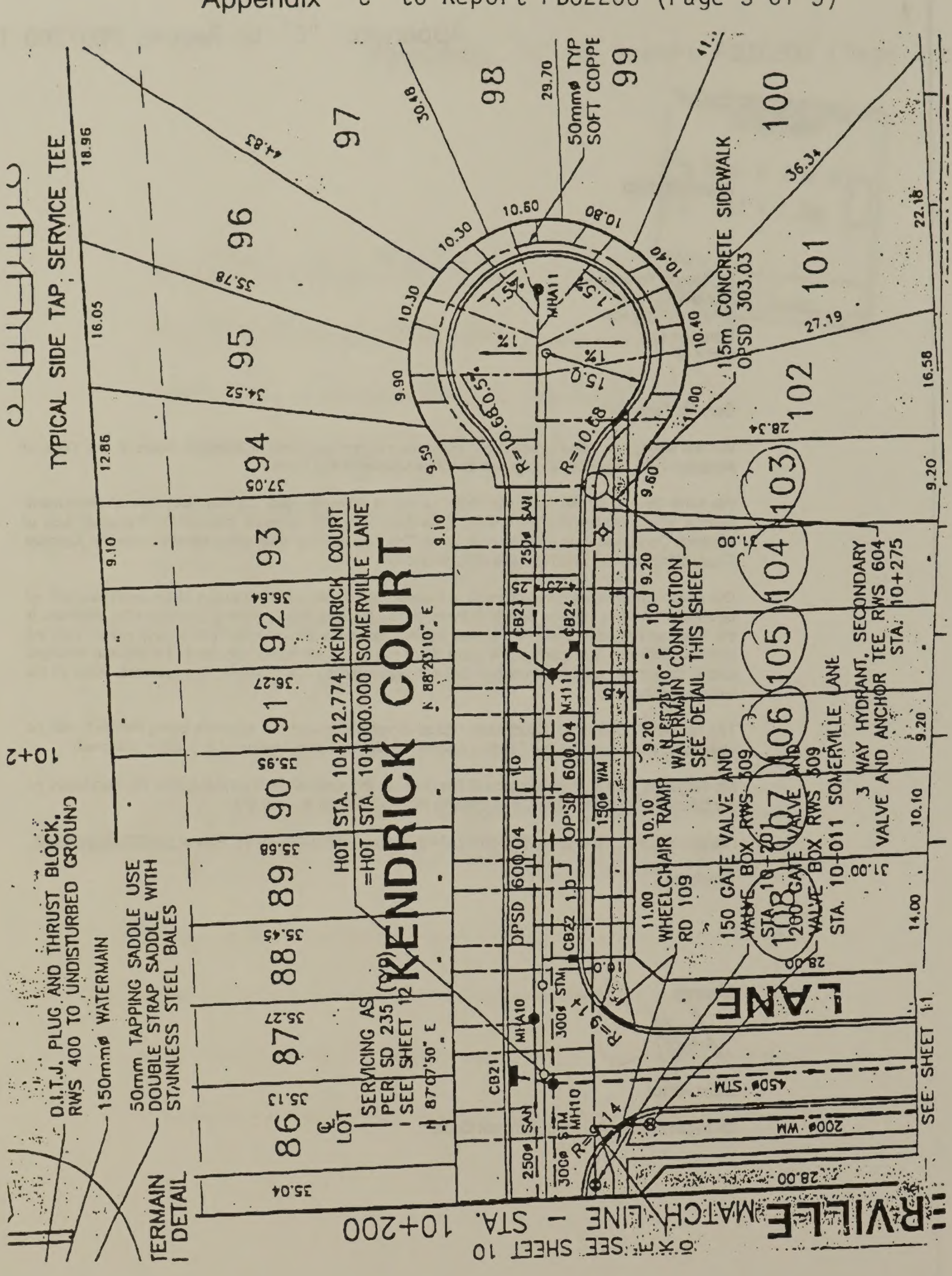
Thank you.

Sincerely,

Glenn Harrop

On behalf of the residents of Kendrick Court.

Appendix "C" to Report PD02200 (Page 3 of 3)


KENDRICK COURT
LANE
RVILLE
MATCH LINE - STA. 10+200
SEE SHEET 10
SEE SHEET 11
TYPICAL SIDE TAP SERVICE TEE
O.I.T.J. PLUG AND THRUST BLOCK, RWS 400 TO UNDISTURBED GROUND
150mmø WATERMAIN
50mm TAPPING SADDLE USE DOUBLE STRAP SADDLE WITH STAINLESS STEEL BALES
TERMAIN
DETAIL
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
℄ LOT
SERVICING AS PER SD 235 (TYP) SEE SHEET 12
HOT STA. 10+212.774 KENDRICK COURT
=HOT STA. 10+000.000 SOMERVILLE LANE
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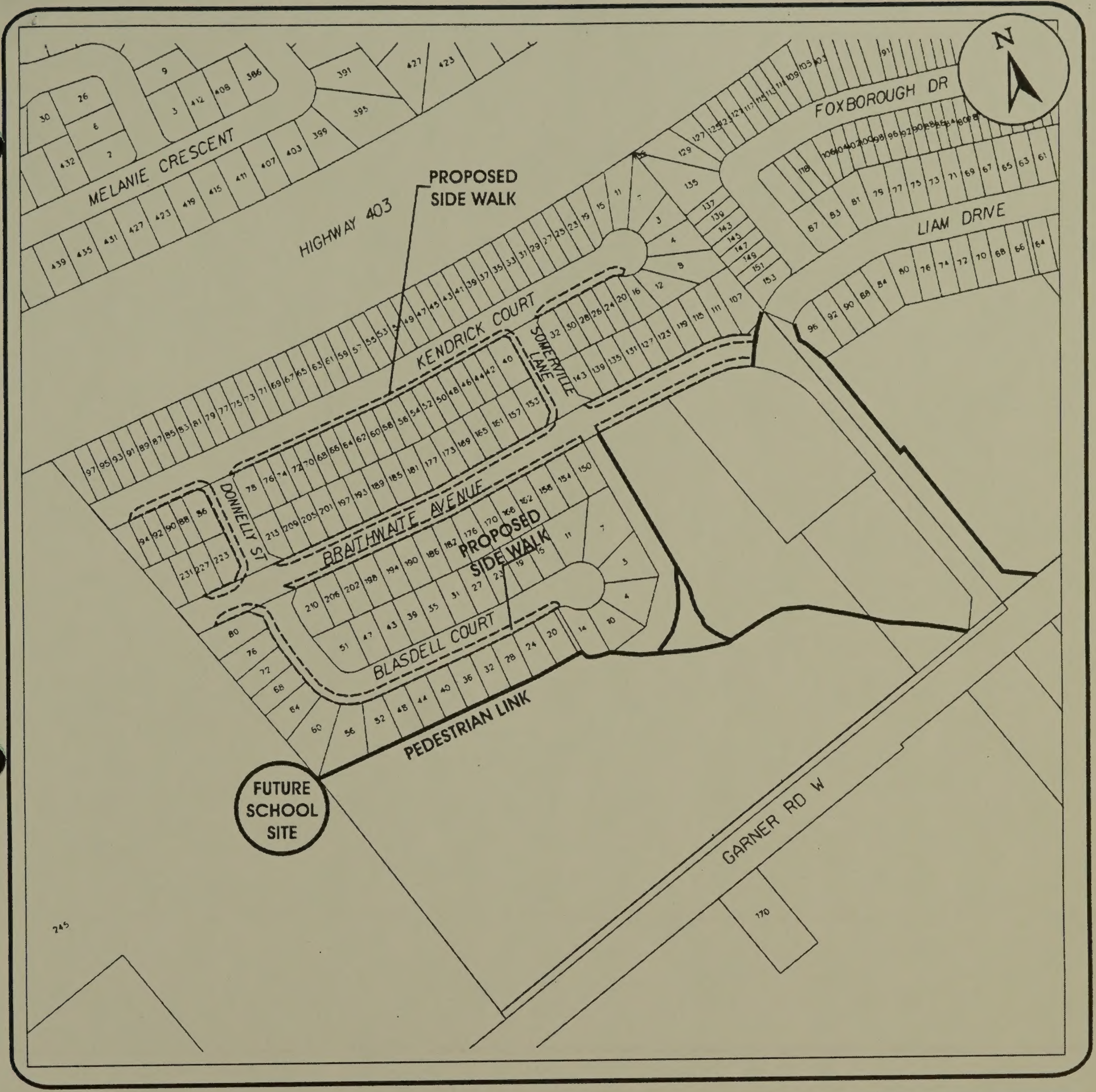
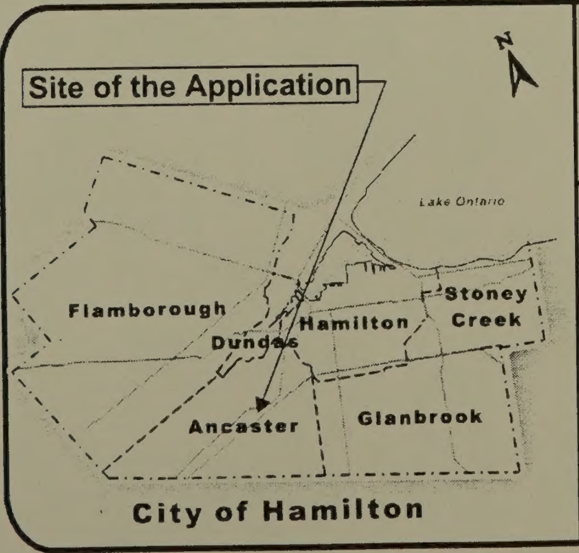
N 87°07'50" E
50mmø TYP SOFT COPPE
1.5m CONCRETE SIDEWALK OPSD 303.03
WHEELCHAIR RAMP RD 109
WATERMAIN CONNECTION SEE DETAIL THIS SHEET
150 GATE VALVE AND VALVE BOX RWS 309 STA. 10+201
200 GATE VALVE AND VALVE BOX RWS 309 STA. 10-011 SOMERVILLE LANE
3 WAY HYDRANT, SECONDARY VALVE AND ANCHOR TEE RWS 604 STA. 10+275
OPSD 600.04
250ø SAN
300ø STM
150ø WM
200ø WM
450ø STM
MH10
MH10
MH11
MH11
CB21
CB22
CB23
CB24
R=10.68
R=10.68
R=9
10+2
35.04
35.13
35.27
35.45
35.68
35.95
36.27
36.64
37.05
34.52
35.78
44.83
30.48
29.70
36.34
27.19
28.34
28.00
28.00
18.96
16.05
12.86
9.10
9.50
9.90
10.30
10.30
10.60
10.80
10.40
10.40
11.00
9.60
9.20
9.20
10.10
11.00
14.00
9.20
10.10
9.20
16.58
22.18
1%
1.5%


N
MELANIE CRESCENT
HIGHWAY 403
FOXBOROUGH DR
LIAM DRIVE
PROPOSED SIDE WALK
KENDRICK COURT
SOMERVILLE LANE
DONNELLY ST
BRAITHWAITE AVENUE
PROPOSED SIDE WALK
BLASDELL COURT
PEDESTRIAN LINK
FUTURE SCHOOL SITE
GARNER RD W
245
170


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

┅ **Subject Property**
Proposed Sidewalk Locations

▭ **Pedestrian Link**

Filename/number
00-S-1AB

Date
September 16, 2002

Technician:
NM

Map Not to Scale

Appendix "D"
TO REPORT PD02200

SECTION

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

13.1

SOCIAL AND PUBLIC HEALTH SERVICES DEPARTMENT
Program Delivery Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joe-Anne Priel, General Manager
Date:	September 12, 2002	**Prepared by:**	Cathy Buffett 905-546-4811

SUBJECT: Budget Variance Report For Schedule 20 Residential Care Facilities for the City of Hamilton (City Wide) (SPH02024)

RECOMMENDATION:

a) That Social and Public Health Services continue to subsidize 915 beds for tenants in residential care facilities (RCFs) in the City of Hamilton and that the projected unfavourable variance of $260,554 for 2002 be absorbed within the departmental operating budget.

b) That staff be directed to provide service contracts to RCF operators, which will further limit the total number of subsidized beds to 869 beds per month in 2003. This represents a 5% reduction in the current operational costs, and will result in a neutral variance for 2003.

c) That Council correspond with the Ministry of Health and Long-term Care (MOHLC) and the Ministry of Community, Family and Children's Services (MCF&CS), outlining:
   - (i) the community impact of the delay in implementing new legislation for Homes for Persons with Special Needs
   - (ii) the need for 100% provincial funding for RCF/domicilliary hostel programs to increase access to affordable and appropriate supported housing across the province.

Joe-Anne Priel, General Manager
Social & Public Health Services

EXECUTIVE SUMMARY:

It is projected that the estimated gross deficit variance for 2002 for the purchase of subsidized beds for residents of residential care facilities will be $260,504.71 (see Appendix A for analysis). There are no available additional provincial dollars to cover this deficit and it is recommended that this be absorbed within the Social and Public Health Services departmental budget.

It is recommended that the remainder of this year be used to tighten subsidy arrangements by establishing service contracts with RCF operators to cap the subsidy dollars available for each facility for 2003. The overall impact will be an average reduction of .69 subsidized beds per facility in 2003. Further to this, a business process review will be put in place to determine if any other efficiencies can be realized.

BACKGROUND:

Throughout 2002, the City of Hamilton administered Ministry of Community, Family and Children's Services (MCF&CS) funds (80-20) to cover per diem costs (accommodation and food) for a monthly average of 915 beds (2001 - 899 beds) for the year to date. The tenant mix was 70% Ontario Disability Service Program (ODSP) clients, 20% Ontario Works Participants, and the remaining 10% are "other" clients who receive federal incomes.

There are two important factors contributing to the projected deficit variance. In January 2001, the per diem rate paid to RCFs was increased to $40.00 per day from $34.50. Council approved this increase in per diem subsidy through report number SPH012002. In April 2001, the monthly amount available for accommodation/rent for ODSP clients was decreased by $112.00 per month. This is the most significant contributing factor to the increase in cost of providing the per diem subsidy program.

Secondly, the number of residents requiring per diem subsidies has also increased due to many social and health pressures. This directly impacts the number of beds needed monthly. By analyzing actual bed utilization to date in 2002, it is forecasted that an additional 265 bed units will be required over what was used in 2001.

ANALYSIS OF ALTERNATIVES:

There are no acceptable alternatives available for 2002 due to the timeline required to negotiate and complete more than 60 service contracts and without causing serious repercussion to tenants' wellbeing and access to safe, appropriate and affordable housing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS

The financial burden to be carried by SPHS and the City to operate this program for the duration of 2002 is significant. However, the financial and social implications for the immediate reduction in the number of subsidized beds in RCFs by 20% to recover the 2002 variance would cause devastation for the tenants, and would be viewed as major steps backward in the fight against homelessness. Seventy percent of RCF tenants receive ODSP benefits and are considered the city's most vulnerable and are at highest risk for homelessness. Turning these individuals out of residential care facilities will place severe strain on an already overburdened shelter system. Shelters are currently running at a 110% occupancy rate. Shifting tenants from RCFs to emergency hostels would not only result in increased payments to shelters from the SPHS budget centre titled "Emergency Hostels", it would also reduce the amount and type of supervision provided to these vulnerable persons.

There are no immediate signs that the province has found the appropriate solution to funding and regulating RCFs/ domicilliary hostels and the City of Hamilton has continued to shoulder an extraordinary financial burden in providing accommodation and food for a very marginalized population.

Policies Affecting Proposal

None applicable.

Consultation with Relevant Departments/Agencies

A meeting was held on Monday, August 26, 2002 with representatives from the Ministry of Community, Family and Children's Services. Corporate Finance has also been apprised of this issue and has reviewed this report.

City Strategic Commitment

Continuing to provide subsidized RCF beds will assist the City to achieve the following goals and strategies identified in Vision 2020:

Personal Health and Well Being

- To develop a caring community which gives support and opportunity to all its members
- To provide adequate and appropriate health care services for all citizens
- To increase the number of years of good health for all citizens by reducing illness, disability and premature deaths
- To improve personal health status.

CB:ba
Attachment (1)

'Appendix A' to SPH02024
Committee of the Whole
September 24, 2002
Page 1 of 1

RESIDENTIAL CARE FACILITIES ESTIMATED DEFICIT TO DECEMBER 31, 2002

Sep-11

	BUDGET 2002	FORECAST ACTUAL	DIFFERENCE
BED UNITS	11,051	11,316	265
BED RATES	547.05	557.26	$ 10.21
TOTALS	$ 6,045,449.55	$ 6,305,954.16	$ 260,504.61

VARIANCE EXPLANATIONS

BED UNITS INCREMENT	265	
BED RATE FORECAST ACTUAL	$ 557.26	
SUB-TOTAL DUE TO BED INCREMENT		
TOTAL BED UNITS BUDGET	11,051	
BED RATE INCREMENT	$ 10.21	
SUB-TOTAL DUE TO RATE INCREMENT		
TOTAL PROJECTED DEFICIT 2002		$ 260,504.71

AFFECTS
WARD 4

CITY OF HAMILTON

14.1

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 16, 2002	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Normanhurst Avenue and Melvin Avenue - Request for All-Way Stop Control (TOE02180) - (Ward 4)**

RECOMMENDATION:

That the existing eastbound and westbound stop control on Melvin Avenue at Normanhurst Avenue be retained.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

Councillor Sam Merulla has advised of a request from an area resident that all-way stop control be implemented at the intersection of Melvin Avenue and Normanhurst Avenue. A petition signed by 41 area residents was subsequently forwarded to staff.

The subject intersection is a four-leg intersection where currently, eastbound and westbound traffic on Melvin is required to stop for northbound and southbound traffic on Normanhurst. Records indicate that there have been 3 reported collisions at this intersection in the past 5 years. All three of these collisions involved westbound motorists on Melvin who either failed to stop or yield to southbound traffic on Normanhurst. The recent installation of the "Tiger Tails" will likely help in this regard. The hedge on the northeast corner was found to be causing a slight sight obstruction which staff from By-law Services issued a field violation notice. The hedge was trimmed shortly thereafter.

The vehicular and pedestrian volumes were found to be relatively low, such that this intersection does not meet the criteria for all-way stop control as approved by City Council last year.

The intersection was reviewed focusing on such factors as collision history, visibility at the intersection, traffic volumes and existing stop control patterns of the surrounding intersections. Therefore, based on the review of the intersection, it is recommended that the existing eastbound and westbound stop control on Melvin Avenue be retained.

BACKGROUND:

The information/recommendations contained within this report primarily affects Ward 4.

Staff received a request from an area resident, forwarded through Councillor Merulla's office, for all-way stop control at the intersection of Normanhurst Avenue at Melvin Avenue. Councillor Merulla subsequently forwarded a petition for same signed by 41 area residents.

Currently, eastbound and westbound traffic on Melvin Avenue is required to stop for northbound and southbound traffic on Normanhurst Avenue. Pedestrian and vehicular volumes at this intersection were found to be relatively low. Pedestrians experienced no delays in crossing the intersection.

There have been three reported collisions at the subject intersection in the past five years. All three collisions involved westbound motorists on Melvin that either failed to stop or yield the right-of-way to southbound traffic on Normanhurst. The recent installation of the "Tiger Tails" will likely help in this regard. The hedge on the northeast corner was found to be causing a slight sight obstruction which staff from By-law Services issued a field violation notice. The hedge was trimmed shortly thereafter.

All-way stop control was recently approved for Normanhurst and Dunsmure (June 2002). The result is that northbound and southbound traffic on Normanhurst will now be required to stop at 5 of the 7 intersections from Main to Barton. If Melvin and Normanhurst receives approval for all-way stop control, that will make it 6 of 7 stops on Normanhurst between Main and Barton. This would be very restrictive and will often lead to disrespect and poor compliance at stop controls.

Therefore, in view of the above, it is recommended that the existing eastbound and westbound stop control on Melvin Avenue at Normanhurst Avenue be retained.

ANALYSIS OF ALTERNATIVES:

All-way stop control is intended to assist in assigning right-of-way to drivers and pedestrians, or to reduce the collision potential at intersections exhibiting a high frequency of angle type collisions. The installation of unwarranted stop control increases driver disrespect of stop signs, and ultimately will increase the potential for collisions at all stop-controlled intersection in the City. Unwarranted all-way stop control locations will also increase the demand on the Hamilton Police Services for enforcement of “fail to stop” infractions.

The following options are available to the residents to address concerns regarding motorists’ poor driving habits:

- Participate in the Neighbourhood Speed Watch Program
- Report aggressive drivers to the Hamilton Police Services Road Rage Hotline
- Request enforcement from the Hamilton Police Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

POLICIES AFFECTING PROPOSAL:

All-way stop control at the subject intersection is not supported by the City Council approved policy entitled the "Installation Policy for All-way Stop Control at Intersections".

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

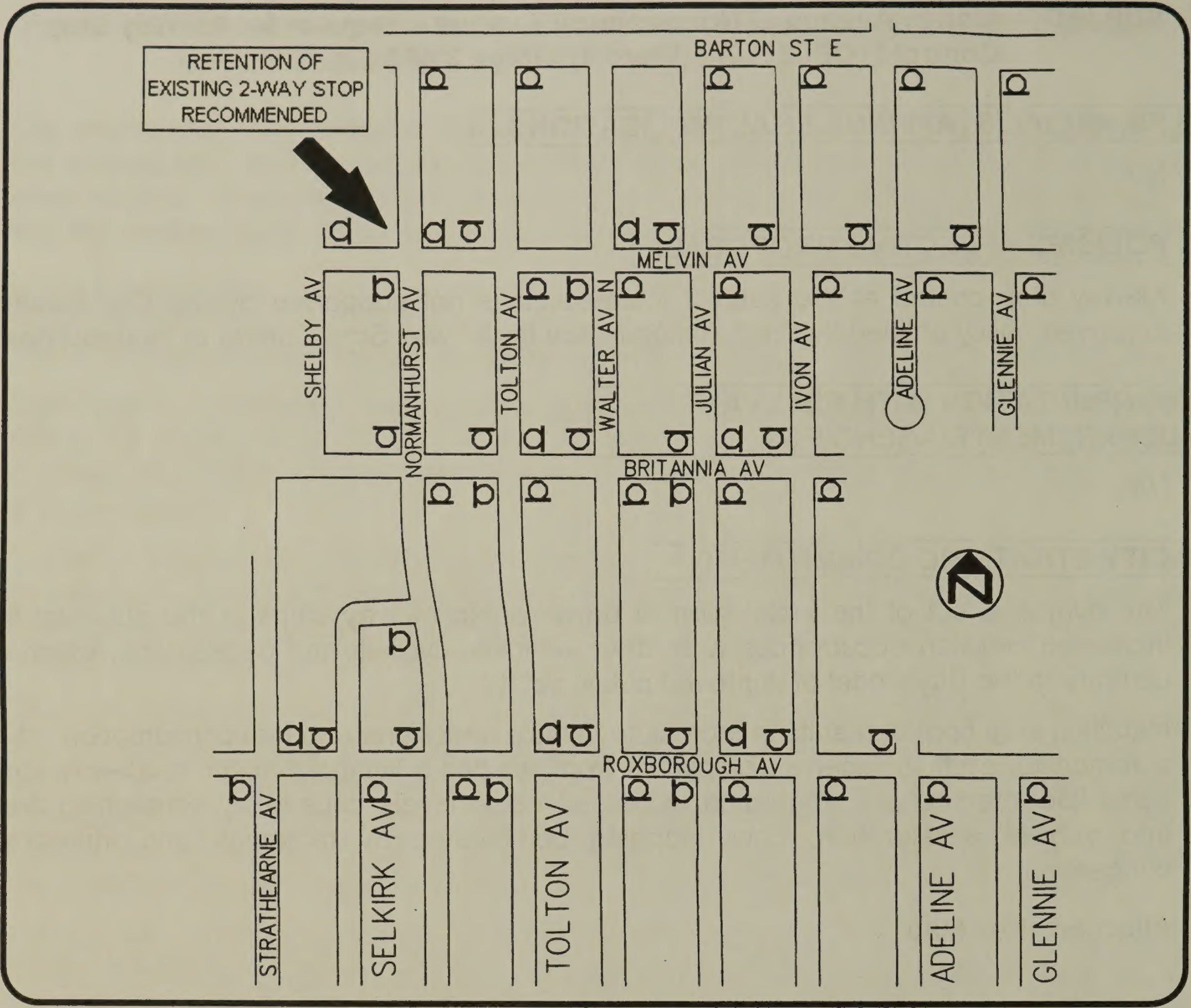
N/A

CITY STRATEGIC COMMITMENT:

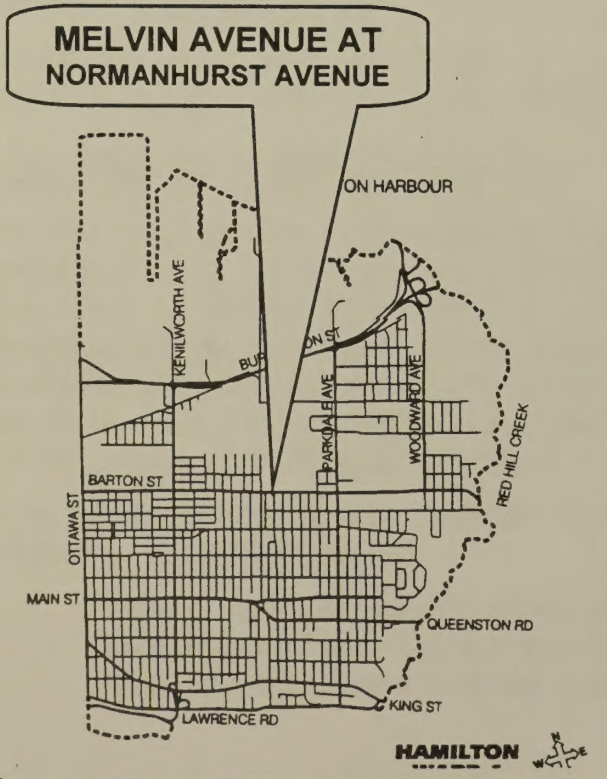
The overall effect of the installation of unwarranted all-way stops is the potential for increased collision occurrences with other vehicles, cyclists and pedestrians, which is contrary to the City's goal of improved public safety.

Installing stop control results in increased vehicle emissions and fuel consumption. It is common for staff to receive complaints from residents living adjacent to all-way stop controlled intersections, regarding increased noise levels caused by screeching tires and vehicle acceleration, poor stopping compliance by motorists and increased congestion.

Attached: Key Map


RETENTION OF
EXISTING 2-WAY STOP
RECOMMENDED
BARTON ST E
MELVIN AV
SHELBY AV
NORMANHURST AV
TOLTON AV
WALTER AV N
JULIAN AV
IVON AV
ADELINE AV
GLENNIE AV
BRITANNIA AV
ROXBOROUGH AV
STRATHEARNE AV
SELKIRK AV
TOLTON AV
ADELINE AV
GLENNIE AV
N

KEY MAP


MELVIN AVENUE AT
NORMANHURST AVENUE
ON HARBOUR
KENILWORTH AVE
BUR
ON ST
PARKDALE AVE
WOODWARD AVE
RED HILL CREEK
BARTON ST
OTTAWA ST
MAIN ST
QUEENSTON RD
KING ST
LAWRENCE RD
HAMILTON
N
E
W

LOCATION PLAN

ALL-WAY STOP CONTROL
REQUEST:
MELVIN AVENUE
AT
NORMANHURST AVENUE
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	⊃	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE	DATE
NOT TO SCALE	**2002-09-16**

REFERENCE FILE NO: **TOE02180**

AFFECTS
WARD 8

CITY OF HAMILTON

15.1

COMMUNITY SERVICES DEPARTMENT
Corporate Buildings and Real Estate
and
PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Barry B. Coopersmith, General Manager Community Services Lee Ann Coveyduck General Manager
Date:	July 9, 2002	**Prepared by:**	William Moffatt 905-628-4220 David Cuming 905-643-1262 Ext. 215

SUBJECT: Auchmar Estate (CS02060) (PD99098(f)) (Ward 8)

RECOMMENDATION:

(a) That item (e) of the guiding principles regarding the Auchmar Estate approved by the former City of Hamilton Council on May 30, 2000 be deleted to allow a private ownership option provided all other principles are adhered to and staff continue to undertake to issue an RFP for the adaptive re-use and occupation of Auchmar at no cost to the City;

(b) That in order to provide for the option set out in Recommendation (a) of this report that the subject lands known as the Auchmar Estate, located at 88 Fennell Avenue West, containing an area of approximately 9 acres be declared surplus, in accordance with Real Property Sales Procedural By-law No. 95-049;

(c) That the Manager of Real Estate & Property Management be authorized and directed to secure an appraisal of the property prior to its redevelopment or disposition to determine fair market value;

(d) That any agreement dealing with the Auchmar Estate be conditional upon the current tenants of the Coach House (Sisters of Social Service) being allowed to remain until the expiration of their lease as of July 14, 2004;

(e) That any proponent acknowledge, understand, and agrees to the limits of the Ontario Heritage Foundation Easement on the property with the undertaking that

On September 26, 2000, Item 11 of Report 14-00 of the Planning and Development Committee was approved thereby extending the acquisition date for the Auchmar Estate which was concluded November 1, 2000.

On February 6, 2001, following the termination of negotiations with the "wellness centre" proponents Council approved Item 25 of the Committee of the Whole recommending "That staff be directed to prepare the Terms of Reference for a Call for Proposal for the use of the Auchmar property and report back to Committee of the Whole."

The previous owner, A DeSantis Developments Ltd. and V & R. Investments Inc., sold the property to the City of Hamilton in 1999. Prior to this sale the owner was in negotiations to sever and sell the estate lands (3.5 acres) for the operation of the wellness centre. As part of the acquisition of the entire Auchmar grounds, the City agreed to assume the purchase and sale agreement for the estate lands to the wellness centre. Unfortunately the sale of the estate was not to be completed and the City looked at entering into a partnership agreement. In establishing the terms of agreement for the former "wellness centre" proponent a number of guiding principles were developed by the former City of Hamilton (PDC99098B) as follows:

"Based on the intended direction of Council, and input from LACAC, the community, and staff, the following guiding principles have been compiled:

(a) Establishment of an Heritage Easement for the entire property in favour of the City /Ontario Heritage Foundation;

(b) Creation of "National Historic Site" status for the property

(c) Commitment to sustainable public access to the entire property, including all buildings and structures;

(d) Commitment for the funding of the restoration of all buildings and structures and maintenance of all grounds at no additional cost to the City of Hamilton;

(e) Commitment to sustainable long-term public ownership of a restored cultural heritage property for the City of Hamilton;

(f) Commitment by all parties, including the tenants, the City and the community, to work co-operatively towards the long-term preservation of the property in the public interest;

(g) Ensure that the initial property value, which the City of Hamilton invested (i.e., $2,000,000.) is protected; and,

(h) Adaptive re-use and long-term occupancy of the heritage buildings on the property is critical to its preservation and financial sustainability."

and ability to accept this condition while restoring the property without substantial financial assistance by the City. Also, if maintained in Public Ownership however with a private interest in possession of the property, such as a tenant, this may lead to the restriction of access to two day per year which may not be acceptable to those individuals interested in the heritage property.

Subsequently Staff are returning to Council here to recommend that the RFP seek an option to allow private ownership of the Auchmar Estate to be considered. It is Staff's belief that an RFP put out under this condition is more advantageous for the following reasons:

- Acquisition of the Auchmar Estate was originally done to preserve the historical facility and grounds. This was achieved and secured through the registration of the heritage easement.
- The City remaining the owner would put the onus to have the facility restored on the municipality. Further, in the event of a catastrophic failure (fire) the city may be required to reconstruct the facility in its entirety through insurance. (Any proposed tenant would have been required to carry insurance for such an event.)
- The placement of the easement effectively ensures the continuation of the property in its present form. Ownership by the City does not provide additional benefit (unless the city chooses to operate the facility publicly), and rather adds to the City's liability as being responsible for upgrades.
- The RFP process would not preclude groups from coming together as partners to occupy and use the facility, any previous suitors desiring to occupy may bid, however, they will be required to take ownership and responsibility for restoration.

ANALYSIS OF ALTERNATIVES:

Based upon the projected $4,000,000 cost to restore and $35,000 to operate annually, Staff have identified options for Council's consideration:

The outright sale of the Auchmar Estate subject to a heritage easement, and conditions of sale to ensure restoration, preservation and conservation of a culturally significant site.

Pros

- City may recoup all or some of its $2,000.000 acquisition costs
- City will avoid $4,000,000 restoration costs and $35,000 estimated operating costs (unoccupied)
- property will be preserved intact, restored and utilized positively
- City may realize property tax revenue (reduced possibly)

Cons

- national historic site designation may not be realized

The Ontario Heritage Easement will have significant impact on the ability of interested parties to utilize the property.

Ownership outside that of the municipality may adversely affect any request to have the site designated as a Nationally significant historical site.

Adaptive re-use will be subject to all applicable zoning requirements. Any redevelopment to take place within the demolished building area will also need to conform to all zoning requirements.

Occupancy is subject to all building code and associated, (fire code, health and safety), requirements.

The property has been circulated throughout the City.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Planning and Development Department, Heritage and Urban Design Section
Community Services Department

Finance & Corporate Services Department

CITY STRATEGIC COMMITMENT:

The City of Hamilton is committed to promoting the development of arts culture and heritage. The recommendations herein would ensure the City's commitment to stewardship through ensuring the property can be restored and, the existence of the heritage easement is in place to protect the structural integrity.

SECTION 17

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

17.1

FINANCE AND CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Councillor Sam Merulla on behalf of the City of Hamilton Licensing Committee
Date:	September 18, 2002	**Prepared by:**	Stella Glover 546-3993

SUBJECT: Licensing Committee Hearing – September 18, 2002 (City Wide)

RECOMMENDATION:

(a) **Sarbjit Singh Phull – Taxi Cab Driver Licence** (Item 3.1.2)

That the Taxi Cab Driver Licence application of Sarbjit Singh Phull be denied due to the applicant's driving record.

(b) **Chez M (Maxim's), 95 King Street East – Transfer Adult Entertainment Parlour Licence (PD01209(b)) (City Wide)**(Item 4.1)

That licensing staff be directed to issue the Adult Entertainment Parlour Licence for 95 King Street East to Mr. Norman Zamosc, 1484167 Ontario Ltd. (operating as Maxim's) subject to the same conditions which were imposed on the previous licence holder, as follows:

(i) That the licensee comply with all by-laws and other laws.

(ii) That the licensee is to provide the Hamilton Police with a letter of authority, which enables the Police to ban anyone from the premises that they deem undesirable for the betterment of the community.

(iii) That the licensee notifies the Issuer of Licences of any change in its corporate structure.

(iv) That the licensee provide the Issuer of Licences with a current list of employees and reports any changes to the list.

(v) That the licensee notify the Issuer of Licences of any persons who acquire financial interest in the business or premises.

(vi) That any violations of the above conditions will result in an immediate Show Cause Hearing.

(vii) That the licensee comply with the requirement of an Order dated June 19, 2002, issued under City of Hamilton Property Standards By-law No. 98-243.

(viii) That the City of Hamilton Licensing Committee will review the Adult Entertainment Parlour Licence in 6 months from the date of commencement of operation.

Merulla

Councillor Sam Merulla, Chairman
City of Hamilton Licensing Committee

EXECUTIVE SUMMARY:

The Committee based its recommendation on the testimony of the applicants, police, ward alderman, staff recommendations; and, with respect to Item (a), upon the driving abstract of the applicant.

BACKGROUND:

(a) The applicant had been denied a licence by the Issuer of Licences and therefore appeared before the Licensing Committee on September 18, 2002, at his own request, to appeal this decision.

(Confidential Background Information provided under separate cover)

(b) See Staff Report PD01209(b) attached hereto as Appendix “A”

ANALYSIS OF ALTERNATIVES:

Not applicable

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial	Not applicable
Staffing	Not applicable
Legal	Not applicable

POLICIES AFFECTING PROPOSAL:

Not applicable

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable

CITY STRATEGIC COMMITMENT:

Not applicable

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

Appendix “A”

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Chairman and Members Licensing Committee City of Hamilton	**Submitted by**:	Lee Ann Coveyduck General Manager
Date:	September 18, 2002	**Prepared by:**	Doug Rose (905) 546-4586

SUBJECT: **Chez M (Maxim's), 95 King Street East - Transfer Adult Entertainment Parlour Licence (PD01209(b)) (City Wide)**

RECOMMENDATION:

(a) That report PD01209(b) respecting 95 King Street East and the transfer of an Adult Entertainment Parlour Licence from Mr. Tony Serafini to Mr. Norman Zamosc, 1484167 Ontario Ltd. operating as Maxim’s, be received for information; and,

(b) That the City of Hamilton Licensing Committee provide direction to staff respecting the issuance of the subject Adult Entertainment Parlour Licence.

LeeAnn Coveyduck
Lee Ann Coveyduck
General Manager
Planning and Development

EXECUTIVE SUMMARY:

This report provides information respecting the status of the Adult Entertainment Parlour Licence application for 95 King Street East.

BACKGROUND:

This document is an information report intended to provide the Licence Committee with information on the status of the Adult Entertainment Parlour Licence application at 95 King Street East.

Currently the Adult Entertainment Parlour By-Law restricts the number of licences, for adult entertainment parlours to four. Presently, the four licensed premises are located at:

- 92 Barton Street East, Hamilton Strip Club
- 1038 Barton Street East, Vision
- 150 Centennial Parkway, Million Dollar Club
- 95 King Street East, Chez M

Licensing staff are in a position to issue an Adult Entertainment licence respecting 95 King Street East. The applicant has complied with all of the requirements of the City of Hamilton Licensing Code, however, throughout our discussions with Police Services concerns were expressed respecting the issuance of the adult entertainment licence. The Police have requested that the same conditions be imposed, if the licence is issued, as follows:

1. That the licensee comply with all by-laws and other laws.
2. That the licensee is to provide the Hamilton Police with a letter of authority, which enables the Police to ban anyone from the premises that they deem undesirable for the betterment of the community.
3. That the licensee notifies the Issuer of Licences of any change in its corporate structure.
4. That the licensee provide the Issuer of Licences with a current list of employees and reports any changes to the list.
5. That the licensee notify the Issuer of Licences of any persons who acquire financial interest in the business or premises.
6. That any violations of the above conditions will result in an immediate Show Cause Hearing.
7. That the licensee comply with the requirements of an Order dated June 19, 2000, issued under City of Hamilton Property Standards By-law No. 98-243.
8. That the City of Hamilton Licensing Committee will review the Adult Entertainment Parlour Licence in 6 months time.

The police will be in attendance to provide information to Committee respecting their concerns.

ANALYSIS OF ALTERNATIVES:

Proposed conditions of the subject licence application are outlined in the Background of report (PD01209(b))

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Current budget unaffected.

POLICIES AFFECTING PROPOSAL:

The City of Hamilton Licensing By-law regulates Adult Entertainment Parlour Licences.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Consultation took place with Police Services, Fire Services, Health and Building to establish the status of compliance of the subject licence application.

CITY STRATEGIC COMMITMENT:

The provisions and regulations of the City of Hamilton Licensing Code, will ensure that standards are met and maintained within the business environment to protect public health and well being, public safety and security, and the consumption of goods and services in the City of Hamilton now and in the future.

DR/JD

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URBAN MUNICIPAL

OCT 07 2002

GOVERNMENT DOCUMENTS

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 02-034

Tuesday, October 8, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 October 1, 2002 (to be distributed)

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Theresa Maquire-Garber, Conservation Halton respecting 2002-2007 Strategic Plan.

3.2 Request to address the Hearings Sub-Committee by Jacqueline McNeilly, Hamilton Connects respecting project update

4. CONSENT ITEMS

4.1 2002 - 2005 Police Towing Contract - By-law 02-002 being a by-law to impose fees and charges for services or activities in relation to the administration of the security and non-security Towing Appointment (PSB02051(a))

5. PRESENTATIONS

5.1 Status Report - Possible Partnership with YMCA at South Mountain Project/Turner Park (CS02033(a)) (Ward 7 and City Wide)

5.2 Comprehensive Food Premises Food Safety Program (FPFSP) (SPH02003(b)) (City Wide)

DISCUSSION ITEMS

6. ITEMS REFERRED BY CITY COUNCIL

6.1 Information Project Update from Transportation, Operations and Environment respecting Support for Joint Research on Algae Growth in Lake Ontario - **refers to Outstanding Business Item "X" on Committee of the Whole Agenda**

6.2 Correspondence from Dalton McGuinty, MPP, Leader of the Ontario Liberal Party respecting policy on the Ontario Municipal Board - **Referred by City Council on September 11, 2002 to Committee of the Whole for discussion**

7. CITY MANAGER

None

8. COMMUNITY SERVICES

None

9. CORPORATE SECRETARIAT

None

10. ECONOMIC DEVELOPMENT

None

11. FINANCE AND CORPORATE SERVICES

None

12. HUMAN RESOURCES

None

13. PLANNING AND DEVELOPMENT

None

14. SOCIAL AND PUBLIC HEALTH SERVICES

None

15. TRANSPORTATION, OPERATIONS AND ENVIRONMENT

None

16. JOINT DEPARTMENTAL REPORTS

None

17. REPORTS BY SUB-COMMITTEES

None

18. REPORTS BY VOLUNTEER CO-ORDINATING COMMITTEES

None

19. MOTIONS

None

20. NOTICES OF MOTIONS

None

21. GENERAL INFORMATION

22. PRIVATE AND CONFIDENTIAL

22.1 HAD Developments OMB Hearing

23. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Annual State of the City	Nov 21/01	Mayor/City Manager/Corporate Secretariat	Report back detailing information for inclusion in an Annual State of the City Report	
E.	Spreading of Biosolids	Nov 21/01	Transportation and Environment	TABLED pending Staff report	
F.	Urban Boundary	Dec 4/01	Planning & Development	Referral by HSC for staff to report back to COW	2002 – Q2
G.	Community Safety Zones	Dec5/01	Transportation and Environment	Referred back to staff for further consideration	2002 – Q2
H.	People's Panel	Dec5/01	TBD	Staff to report back on financial and staffing implications, selection process, terms of reference and implementation timeline	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
I.	Aquafit Seniors/Disabled Fees	March 5/02	Community Services	Staff to prepare critical analysis	
J.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
K.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
L.	Strategy for priortizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
M.	Shortage of Area Doctors	March 6/02 Council	Social and Public Health	Staff to report back on shortages	
N.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003
O.	Harbour Port Authority	Feb. 13/02	Finance and Corporate Services	Staff to report back on additional revenues from Port Authority	June 18/02
P.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Q.	Marina Assets	May 7/02	Community Services	Staff to report back on the selling of Marina assets to Port Authority	
R.	Alternative Service Delivery for installation of roadway signs and posts	May 7/02	TOE	Staff to report back with results and recommendation on this matter	
S.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
T.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	F&CS and HUC	Staff to bring report back	
U.	HR Matters	May 7/02	Economic Development	Staff to report back	
V.	Consolidated Rural Municipal Numbering By-law	May 7/02	Planning and Development	Referred to staff for outside pricing and report back	
W.	Municipal Tax Competitiveness Study	May 23/02	Finance and Corporate Services	Referred to a Future COW in September	Sept. 24/02
X.	Council Correspondence respecting Algae in Lake Ontario	June 12 City Council	TOE/Finance and Corporate Services	Staff to report to Committee of the Whole	
Y.	Capital Program to modify mountable curb driveway approaches	July 2/02	TOE	Three sections tabled pending public consultation	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Z.	Roles and Responsibilities of Committee of Adjustment	July 2/02	Planning and Development	Tabled pending further consultation with the community and report back on policy addressing political influence	
AA.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
BB.	Delivery of ambulance services, response times, standards, dispatch	August 6/02	Chief Peace	Staff to bring report back on status of delivery	
CC.	Inventory of underground and above ground works	August 6/02	Transportation, Operations and Environment	Staff to provide report which outlines inventory of underground and aboveground works, road construction with budget amounts	
DD.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	
EE.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
FF.	Correspondence from Ministry of Transportation respecting Highway 6 from Highway 5 to Concession	Council Communication of July 10, 2002	TOE	Staff to report back to Committee of the Whole	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
GG.	Petition - reduction in speed on Leeming Road	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
HH.	Petition - installation of a right paved turning lane to Algonquin going east on Highway #5	Council Communication of August 14, 2002	TOE	Staff to report back to Committee of the Whole	
II.	Correspondence from Municipality of Niagara respecting Water Quality Protection Strategy	Council Communication of August 14, 2002	TOE	Staff to report back to Committee of the Whole	
JJ.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	
KK.	Hamilton Future Fund	Sept. 10/02	Finance and Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
LL.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
MM.	Report of the Accommodations Study Sub-Committee	Sept. 10/02	Community Services	A meeting of the sub-committee to occur. Staff directed to report back	Nov./02

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
NN.	Motion - ODSP Bus Pass	Sept. 10/02	Social and Public Health	Staff to report back on feasibility of a subsidy program	
OO.	Fee Waiver Policy	Sept. 10/02	Community Services	Staff to report back as part of the annual budget on the extent to which the City subsidizes third party use	Budget Deliberations
PP.	Hamilton's Wastewater System	Sept. 17/02	TOE	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates on compliance, overstrength and surcharge agreements	
QQ.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	October/02
RR.	Development charges and building permit fees for the Hamilton Regional Cancer Centre and St. Joseph's Healthcare	Sept. 17/02	City Manager/ Finance and Corporate Services/ Planning and Development	Deferred for one month	October 22/02
SS.	By-law to regulate postering of signs on public property	Sept. 17/02	TOE & FCS	Staff to prepare by-law to regulate postering	

SECTION 2

SECTION 3

CONSERVATION HALTON

PROTECTING THE NATURAL ENVIRONMENT FROM LAKE TO ESCARPMENT

2596 Britannia Road West
R.R. #2 Milton Ontario L9T 2X6
(905) 336-1158 Fax (905) 336-7014
Internet Address: www.conservationhalton.on.ca E-mail: admin@hrca.on.ca

3.1

September 19, 2002

Mr. Kevin Christenson
City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Dear Mr. Christenson:

Conservation Halton has completed development of our 2002 to 2007 Strategic Plan. As the plan before, the new Strategic Plan strives to accomplish our mission *to protect and enhance the natural environment from lake to escarpment for present and future generations.*

Conservation Halton and the City of Hamilton have a strong and positive partnership. One of the main components of that partnership is open communication and sharing of information. Conservation Halton is requesting delegation status at your regularly scheduled Hearings Sub-Committee meeting on October 16, 2002, to make a 15 minute presentation of our 2002-2007 Strategic Plan.

Thank you for your consideration in this matter.

Yours sincerely,

T.E. Maguire Garber

Theresa E. Maguire-Garber, B. Comm., CMA
CAO/Secretary-Treasurer

c.c. Robert Robertson, City Manager

Gallagher, Mary

3.2

From: McNeilly, Jacqueline
Sent: September 26, 2002 9:43 AM
To: Gallagher, Mary
Subject: RE: Delegation to Council/Hearings sub...

The Connect Hamilton - Create Community Project is a 'Smart Community'/Super Build initiative funded by the Ministries of Enterprise, Opportunity and Innovation and Natural Resources. The Hamilton partnership is currently preparing our application to the Province for funding (Maximum funding from Provincial sources is $1.5 million which must be matched locally).
The City of Hamilton is a major partner in this project which includes four key projects, the use of GIS an e-commerce and a community portal. Our goal is to serve the public more efficiently by using technology (and people) to get us there.

We request status as a delegation in order to describe what this project is about, who is involved and some of the financial, human resource and servicing issues associated with the Connect Hamilton project.

Jacqueline McNeilly
Executive Director
Hamilton Connects
Liuna Station, 360 James Street N., 2nd Flr.
Hamilton, ON L8L 1H5

SECTION 4

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.1

Hamilton Police Services Board

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lois Morin Administrative Assistant Police Services Board
Date:	September 24, 2002	**Prepared by:**	Lois Morin – 546-2727

SUBJECT: **2002-2005 Police Towing Contract**
By-law 02-002 being a by-law to Impose Fees and Charges for Services or Activities in Relation to the Administration of the Security and Non-Security Towing Appointment
(PSB 02-051a)

RECOMMENDATION:

a) That the Council of the City of Hamilton be requested to approve the actions of the Police Services Board by approving By-law 02-002 being a By-law to impose fees and charges for services or activities provided by the Hamilton Police Service on behalf of the Board in relation to security and non-security towing by resolution of Council, in accordance with the provisions of s.220.1 of the *Municipal Act*, R.S.O. 1990, c.M.45, as amended.

b) That By-law 02-002 come into force on the date of approval by resolution of Council of the City of Hamilton.

Lois Morin

Lois Morin, Administrative Assistant
Hamilton Police Services Board

EXECUTIVE SUMMARY:

See Report PSB 02-051a.

BACKGROUND:

The Police Services Board met on Monday, September 16, 2002 and respectfully submits the recommendation approved at their meeting for consideration and approval.

ANALYSIS OF ALTERNATIVES:

See Report PSB 02-051a.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See Report PSB 02-051a.

POLICIES AFFECTING PROPOSAL:

See Report PSB 02-051a.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

See Report PSB 02-051a.

CITY STRATEGIC COMMITMENT:

See Report PSB 02-051a.

Attachments: By-law 02-002
PSB 02-051a

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2002 September 11

REPORT TO: Chairman and Members
Hamilton Police Services Board

FROM: Kenneth D. Robertson
Chief of Police

SUBJECT: ***2002-2005 Police Towing Contract (PSB 02-051a)***

RECOMMENDATIONS:

a) That the Board authorize the employment of a part-time civilian employee for an estimated 20 hours per week to administer the collection of revenue at a projected cost of approximately $17,000.00 per year, for the duration of the Agreement.

b) That the Board invite applications from Communications Companies to perform the Central Dispatch function as required by the Agreement.

c) That the Board authorize and direct the Chair of the Board to prepare and execute any documentation required for this purpose, said documentation to be in a form satisfactory to Legal Counsel to the Police Service.

d) That the Board enact a By-law to impose fees and charges for services or activities provided by the Hamilton Police Service on behalf of the Board in relation to security and non-security towing.

e) That the Board authorize and direct the Secretary of the Board to forward the By-law to City Council for approval by Resolution of Council, in accordance with the provisions of section 220.1 of the *Municipal Act*, R.S.O. 1990, c.M. 45, as amended, prior to it coming into force.

f) That the Board, upon the coming into force of the said By-law, in paragraphs d) and e), repeal By-law 97-001, being a by-law to impose fees and charges for services or activities provided by the Hamilton Police Service on behalf of the Hamilton Police Services Board in relation to the administration of the Security and Non-Security Towing Appointment.

g) That the Board approve police involvement, by way of providing input and/or recommendations, to the City of Hamilton in the development of a new City of Hamilton solicitation By-law.

Kenneth D. Robertson
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL - As the Board is aware, the Police Towing Contract was amended in 1997 to provide a cost recovery mechanism for the Service. Initial estimates indicate revenue to the Service of approximately $200,000.00 per contract year based on 8,000 tows and an increased administration fee of $25.00 per tow. Actual cost recovery for the time period July 1, 2001 to June 30, 2002 was approximately $150,720.00, based on approximately 7,536 tows and an administration fee of $20.00 per tow.

As indicated in PSB 97-009 (a) and PSB 97-009 (b), attached, the Police Service's costs associated with administering the Towing Agreement include investigating complaints from the public and towing agencies, tracking the storage and release of vehicles, conducting inspections of towing compounds, conducting background and security clearance checks for tow truck owners and/or operators, and record keeping associated to tows; which costs are in excess of $200,000.00 per annum. To facilitate the process, the Abandoned Auto Officer and a part-time Towing Clerk are dedicated to the maintenance of the Agreement. These costs will continue with the adoption of the recommended 2002-2005 Contract.

STAFFING – A part-time civilian employee will continue to be required for an estimated 20 hours per week to administer the collection of revenue for the duration of the contract. The projected cost is approximately $17,000.00 per year.

LEGAL – The legal issues associated with the Tow Contract were detailed in PSB 97-009 (a) and PSB 97-009 (b), attached. The terms of the 2002-2005 Contract, which will commence October 1, 2002, are substantially the same as those in the 1997 and 1999 Agreements, with the following exceptions:

a) Each operator and/or driver of an approved tow truck company will be issued photo identification (I.D.) by the Police Service, which will indicate that they have been cleared to respond to police calls for service. This I.D. must be displayed and be clearly visible for any Hamilton Police Service officer to inspect. Any driver not displaying their photo I.D. will not be allowed to proceed with the tow, and the tow company will be liable to any penalty, suspension and/or termination of towing services deemed necessary by the appropriate member of the Police Service and/or Police Services Board, as provided for in the Agreement.

Legal counsel has advised that the said identification shall be in a form readily identifiable to Members of the Police Service but shall not include the Police Service Logo and shall not be in a form that would suggest the operator and/or driver is an employee or agent of the Police Service.

form that would suggest the operator and/or driver is an employee or agent of the Police Service.

b) Owners and/or operators of an approved tow truck company shall ensure that each of their drivers (licenced by the City of Hamilton) have a signature card on file in the Police Service Traffic Branch.

c) Owners and/or operators of an approved tow truck company shall notify all their drivers responding to a security tow that they are to sign the Tow Tag, and indicate his/her City of Hamilton tow licence number in the space provided.

d) Owners and/or operators of an approved tow truck company shall advise all drivers that prior to entering the secure area of the central Police Service garage, that they first attend at the Reception desk. All drivers will be required to sign, in the presence of a member of the Police Service, the appropriate Police Service secure towing log indicating: a) the time in, b) the incident number, and c) the vehicle information. All drivers will also be required to provide their signature each time an entry is made in the Police Service secure towing log. Such signature will be subject to verification by way of comparison to the driver's signature card on file in the Police Service Traffic Branch. Drivers must also sign the log indicating their time out.

e) Owners and/or operators of an approved tow truck company shall notify all drivers not to allow any passengers to enter the central Police Service security garage, unless the passenger(s) is/are also licenced by the City of Hamilton to tow, and is/are employed by the owner(s) and/or operator(s) of the approved tow truck company. Any such passengers will be subject to the same signature verification as the driver.

f) The Police Service reserves the right to restrict access by any driver and/or passenger of a tow truck to police facilities for any reason, including concerns relating to the verification of any driver's and/or passenger's signature.

g) The Light Towing Fees have been amended in the Fee Schedule, in an attempt to offset towing agency costs, as follows:

    i) the maximum price to be charged for a tow within a specified Police Towing Zone is $125.00. Under the previous Agreement, the maximum amount was $100.00, and

    ii) the maximum price to be charged for each 24 hour period of storage of a vehicle is $25.00. Under the previous Agreement, the maximum amount was $15.00. The first two (2) hours of storage following an initial tow will continue to be free to accommodate the release of vehicles.

h) Each Certificate of Insurance required pursuant to the Agreement shall provide that no material changes, termination or cancellation shall be effective without thirty (30) days prior notice to the City of Hamilton.

i) All references to the Town of Dundas and/or the Town of Ancaster have been amended to read the former Town of Dundas and/or the former Town of Ancaster.

j) An administration fee in the amount of $25.00 per tow, applicable to security and non-security tows performed under the Agreement, shall be payable by the tow company to the Hamilton Police Services Board. Under the previous Agreement an administration fee of $20.00 applied.

The increased administration fee is reflective of the increased costs associated with the provision of identification, enhanced security measures at Police Service facilities and the increased staffing costs for both sworn and civilian members of the Police Service.

The fees provided for in paragraphs g) and j) above, have not been increased since the 1997 Agreement.

In my opinion, all additional terms are reasonable in order to achieve the Board's goal; namely, to provide citizens within this City with safe, dependable and affordable police tow services.

BACKGROUND:

Please refer to PSB 97-009 (a) and PSB 97-009(b), attached.

The Police Service has maintained a Police Towing Contract with local towing agencies since 1993. That 3-year contract was developed and endorsed as a result of input from the community, and in consultation with our towing partners. In essence, the Contract established a tow rotation system which allows agencies equal access to police-related tows.

In March 1997, the Board approved a Towing Contract which expired on June 30, 1999. The 1997 Towing Contract was revised to improve customer service and provide a mechanism for cost recovery to the Police Service, while still providing towing agencies with access to police towing within the City. As a result of the improvements in the Contract, customer complaints were reduced significantly, and this Service recovered a portion of the costs incurred in administering the Agreement.

Pursuant to Board approval of PSB Recommendation 02-051, received May 21, 2002, for the Hamilton Police Services Board to enter into a 3-year police towing contract effective for the years 2002 to 2005, the current Tow Contract has been reviewed. The proposed Agreement, which contains the amendments as described above in the Legal section, is attached for the Board's reference. In essence, the Contract is unchanged, except in the areas listed above. The focus of the Contract continues to be customer service, but also includes police facility security.

The Police Service's focus during the re-engineering of the new Contract was quality service and accountability. A key concern expressed by all stakeholders was the problem of "chasers". There have been several attempts to enact City By-laws that would enable the police to effectively enforce unwanted solicitation at accident scenes. This endeavour has proved to be unsuccessful, to date. Preparation of a new 'solicitation' By-law is being undertaken by the City of Hamilton Legal Services Department. This By-law will replace the current Tow Operators By-law, and will control aggressive solicitation of tow services at motor vehicle accident scenes. Contracted and legitimate towing agencies are being financially compromised and are partners in developing solutions to this long-term community problem. The chaser problem is not unique to the City of Hamilton. Municipalities across Canada experience similar problems and have taken some steps to remedy the issue. The enacting of the 'solicitation' By-law, combined with enforcement, will dramatically reduce the problem of "chasing" in the City of Hamilton.

Superintendent Glyn Wide has been involved in several recent discussions with Doug Rose (City Standards and Licencing), Michael Gouthro (City Legal Services), Counsellor Tom Jackson, and others, regarding the enactment of a new 'solicitation' By-law. Supt. Wide has volunteered to provide police assistance and/or recommendations to the City and/or City of Hamilton Legal Services Department in the course of their developing / enacting a new 'solicitation' By-law.

Once the By-law is enacted, the Police Service will ensure its members receive information and training on their role and responsibilities with respect to enforcing the By-law.

KDR/G. Wide

Attachments: 1) Draft By-law re tow service fees; 2) PSB 97-009 [tabled twice to March 1997 & then presented as 97-009(a)]; 3) PSB 97-009(b); and 4) Towing Contract 2002-2005

cc: Superintendent Glyn Wide, Support Services

Robert Gauvin, Assistant Legal Counsel

P.C. Andrew Kirkland, Traffic Branch

Michael Gouthro, Assistant Corporate Counsel, City of Hamilton, Legal Services Department

HAMILTON POLICE SERVICES BOARD

BY-LAW NO. 02-002

Being A By-law to Impose Fees And Charges For
Services Or Activities Provided By
The Hamilton Police Service,
On Behalf Of
The Hamilton Police Services Board
In Relation To The Administration Of
The Security And Non-Security Towing Appointment

WHEREAS, pursuant to section 220.1 of the *Municipal Act*, R.S.O. 1990, c.M.45, as amended, the Hamilton Police Services Board, being a local Board as defined in section 1 of the *Municipal Affairs Act*, R.S.O. 1990, c.M.46, is authorized to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by it or for the use of its property;

AND WHEREAS the Hamilton Police Service incurs costs associated with the administration of the Agreement relative to Security and Non-Security Towing Appointments within the City of Hamilton;

AND WHEREAS the Hamilton Police Services Board has determined that, wherever feasible, the cost of any such services provided by the Hamilton Police Service shall be recovered by the Board;

NOW THEREFORE, the Hamilton Police Services Board enacts as follows:

1. In this By-law:

   "Security and Non-Security Towing Appointment" means the agreement between the Hamilton Police Services Board and Board-appointed tow companies within the City of Hamilton, whereby tow companies tow vehicles at the request of the Hamilton Police Service.

2. Each tow company shall remit to the Hamilton Police Service an administration fee in the amount of Twenty-Five Dollars ($25.00) for each tow performed by that tow company pursuant to the Security and Non-Security Towing Appointment.

3. The administration fee is due and payable by the tow company on the first day of the calendar month immediately subsequent to the month in which the tow was effected.

4. The application fee shall be collected in cash or by registered or unregistered cheque, in the discretion of the Hamilton Police Service.

5. Failure to pay the administration fees as required by the terms of the Security and Non-Security Towing Appointment and by the terms of this By-law may result in suspension of the tow company from the towing rotation established pursuant to the terms of the Security and Non-Security Towing Appointment.

6. This By-law shall come into force on the later of October 1, 2002 or the date upon which City Council passes a Resolution approving this By-law, pursuant to subsection 220.1(8) of the *Municipal Act*.

PASSED and ENACTED at the City of Hamilton, this ________ day of

________________________________, 2002.

____
Bernie Morelli, Chairman
Hamilton Police Services Board

____
Lois Morin, Administrative Assistant
Hamilton Police Services Board

Approved by resolution of the Council of
the City of Hamilton

at its meeting of ________________________________, 2002

SECTION 5

City Wide and Ward 7

CITY OF HAMILTON

5.1

COMMUNITY SERVICES DEPARTMENT
Culture and Recreation Division and Design and Construction Division

Report to:	Mayor and Members of Committee of the Whole	**Submitted by:**	William E. Fenwick Acting General Manager, Community Services
Date:	September 26, 2002	**Prepared by:**	Domenic Lunardo x 3982 William E. Fenwick x 4610

SUBJECT: Status Report – Possible Partnership with YMCA at South Mountain Project/Turner Park (CS02033a)(City Wide and Ward 7)

RECOMMENDATION:

(a) That the "partnership principles" as outlined in this report be endorsed as the basis for continuing negotiations with the YMCA for the South Mountain Project at Turner Park;

(b) That staff be directed to hold a neighbourhood consultation meeting to obtain community input on the "partnership principles" and possible partnership with the YMCA, and that this meeting be held in the third week of October 2002, (tentatively October 24, 2002);

(c) That staff bring forward recommendations to a future Committee of the Whole meeting in late November 2002, (tentatively November 26, 2002), with respect to a potential partnership with the YMCA for recreational services as part of the South Mountain Project;

(d) That a copy of this report and a copy of the Council resolution respecting this issue be forwarded to the respective Boards of the Hamilton Police Services, Library Services and YMCA;

(e) That any City Capital Contribution towards this project be submitted for consideration in the 2003 budget process.

William E. Fenwick, Acting General Manager
Community Services

EXECUTIVE SUMMARY:

The purpose of this report is to provide Committee of the Whole with a status report on key negotiating issues, which have been identified by the negotiating team. These key issues are fundamental assumptions which act as guiding principles for the negotiating team to be able to achieve a viable partnership model whereby the YMCA would be providing recreational services to the South Mountain community in lieu of this service being directly provided by the City.

The key issues, ("Partnership Principles"), are discussed in detail in the Analysis of Alternatives Section of this report and are summarized as follows:

- Land Lease and Baseball Diamond Replacement
- Capital Contribution by the City
- Building Ownership/Operating Model
- YMCA as the Recreation Service Provider
- YMCA owns and operates facilities
- YMCA responsible for capital construction of their facility
- Access to Recreational Services
- Inclusion of the Library
- Partnership Profile
- Governance

A comparison of development models, for recreational services only, comparing costs/benefits has been included, (refer to Appendix C). If the City were to construct a stand-alone recreation centre there would be an annual cost to the municipality of $1,407,404. This includes financing, capital repair, operating expenditures, revenues costs as well as a replacement reserve provision. However, if the YMCA model were selected in lieu of the City building a recreation centre the net annual operating cost to the City would be zero.

A comparison of development models, (refer to Table 1 in the Analysis of Alternative section of this report), which includes the library component with the YMCA model would result in a total City tax impact, (in the year 2005), of $1,334,734 annually or a 0.5 % tax increase for the average homeowner. The Self-Developed model in this scenario would cost the taxpayers $2,740,000 annually or a 1.0 % tax increase. All costs have been factored into this estimate including contributions to a replacement reserve.

In addition to this City Budget impact, the police will likely experience a budget impact of $105,380 for operating maintenance costs and $418,000 for replacement reserve contributions and year capital repair costs.

When the Library and Police services are combined, (refer to Appendix D), the self-developed model results in an annual cost of $4,038,299 versus the YMCA model cost of $2,630,895 per year. Both figures include financing, capital repair, operating expenditures and revenues cost estimates as well as a replacement reserve provision. Therefore based on the analysis the YMCA model would be the most cost efficient.

Of note is the issue of Development Charge liability (approximately $275,000) for this YMCA project. If the City builds this project, there would be no collection of development charges. The YMCA as developer, have not included this in their construction cost estimate. Staff will further negotiate this issue with the YMCA and present this issue to Council in a follow-up report.

Therefore Staff provides this status report and seeks Council's concurrence that "partnership principles" as outlined in the Analysis of Alternatives section of this report form the basis for continuing negotiations towards achieving a potential partnership with the YMCA.

BACKGROUND:

At the meeting of April 2, 2002, Council approved, in part:

> *"That Staff be directed to proceed with discussion with the YMCA of Hamilton/Burlington to explore potential partnership models for recreational services as part of the South Mountain Project at Turner Park;*
>
> *That the Terms of Reference for these discussions be based on the issues outlined in this report, (CS02033, dated March 21, 2002), and the Alternative Service Delivery principles approved by Council in December 2001."*

Based on the above noted direction staff established a Negotiating Team consisting of staff from the Community Services Department as well as staff from the Hamilton Public Library and the Hamilton Police Services.

The Negotiating Team has met monthly and this status report summarizes the negotiations to date. In addition, the negotiating team has initiated an issues resolution process and reached general agreement on several issues.

However, there are a number of key issues, ("partnership principles"), that require input from Council. Specifically these include commitments on financial and property contributions, service providers, governance and other matters including community access of services.

Therefore, this status report seeks Council's concurrence that the "partnership principles" as outlined in the Analysis of Alternative section of this report form the basis for continuing negotiations towards achieving a potential partnership with the YMCA.

ANALYSIS OF ALTERNATIVES:

The following is a summary of key issues:

1) Land Contribution and Baseball Diamond Replacement Cost

a) The YMCA is seeking a long-term lease with the City for a nominal rate. Size is approximately equivalent to 5 acres. The City would retain ownership of the land. Consistent with the existing Parks acquisition and development policies a contribution to the Parkland Reserve Fund should be made. The Police Station and Library projects will be making similar contributions. The value of this contribution is anticipated to be in the $650,000 range. Details of the lease arrangement would be negotiated as part of the final agreement with the YMCA.

b) The development of a police/library and recreation (YMCA) facility will impact one of the existing ball diamonds at Turner Park. If this partnership project proceeds there is a cost to replace the ball diamond either on site or at an alternative park location. The estimated cost is $200,000.

c) The total cost for both land and replacing the baseball diamond is $850,000. Since this project benefits existing and future residents, a portion of the City costs are eligible to be funded from former municipal Development Charge reserves. The eligible growth-related costs based upon affected area municipal Development Charge background studies and reserve funding constraints dictate that approximately $600,000 (70 %) would be funded from Development Charge Recreational reserves. The balance of the cost would be funded from the former Hamilton Unallocated Capital Reserve ($250,000).

d) The $850,000 would not be directed towards the actual construction of the YMCA facility, however this is a value towards the total project cost. Therefore, $650,000 would be transferred to the Parkland Reserve Fund, while the $200,000 could be a 2003 capital project for the replacement of the ball diamond, which would be managed by the Design and Construction Division, Community Services Department.

PARTNERSHIP PRINCIPLE

That the City provides to the YMCA a long term lease, at a nominal amount, for the land component of the YMCA facility; and

That the City makes the appropriate land value contribution (estimated to be approximately $650,000) and that $200,000 be allocated for the relocation of the baseball diamond in 2003. Funds to be provided 70% from area-affected growth-related Development Charge Recreation Reserves and 30% from the former Hamilton Unallocated Capital Reserve.

2) Capital Contribution by the City

a) The YMCA is requesting that the City make a two (2) million dollar capital contribution (in addition to the $850,000 above-mentioned contribution) towards the construction of the YMCA facility. Details of the YMCA proposal are found in Appendix A. The following is a summary

- A capital contribution is specifically allocated to "oversizing" specific facilities within the YMCA, (i.e. pool size), to better serve the South Mountain Community and the understanding that this facility will take the place of the City having to construct a similar type facility in the same geographic area. This increase would provide program space that is consistent with municipal priorities.
- The YMCA, as a charitable organization providing community recreation and health promotion services, shares the same objectives as the City and is capable of providing these services consistent with the Parks, Culture and Recreation Master Plan.
- The City would not have any future operational and capital repairs or replacement costs associated with this facility and the YMCA will be fully responsible for operating costs to provide its services and programs.
- The YMCA would contribute a fair share of capital and operating funds towards the costs related to the common areas within the combined facility.
- The YMCA brings community support to the project with its donors and it's ongoing philanthropy programs.

PARTNERSHIP PRINCIPLE

That the City include a capital contribution in the amount of $ 2 million dollars towards the YMCA facility at Turner Park not including land costs and the cost of replacing the ball diamond ($850,000). This $ 2 million dollar capital contribution would be funded from area-affected growth-related Development Charge Recreation Reserves based upon area Development Charge background studies equal to 70% of the City's Contribution ($1,400,000). The balance of the cost to be funded from the former Hamilton Area Municipal Capital Reserve.

3) Building Ownership/Operating Model

a) The current ownership concept agreed to date is that partners would collectively be within a multi-use facility with public or common space that would be shared by the partners and that dedicated space would be individually owned by the YMCA, Library and Police Services Board.

b) Based on this model all partners would share in the cost of operating and maintaining common/public spaces including the building lobby, parking lot and exterior landscape and any other shared costs based on a "fair share" formula. The partners would negotiate a maintenance/operation model for the day to day maintenance of the facility.

c) Programming costs would be the responsibility of each of the partners. However, City would not be responsible for programming/operating costs incurred by the YMCA to deliver YMCA services unless there is a specific specialized service being requested by the City which is not provided by the YMCA and which is not financially self sustaining.

d) Details of potential operating savings are discussed in the "Alternative Service Delivery – Municipal Comparator" section of this report.

PARTNERSHIP PRINCIPLE

That the City (Police Services and Library) and YMCA develop a "fair-share" formula to share the capital and operating costs of the common space, (including exterior grounds), between the three partners, as well as developing an ownership model for the project.

4) YMCA the Recreation Service Provider

a) The YMCA has agreed to be the provider of recreational services to the South Mountain Community, through this facility and in-lieu of the City providing such a facility. This is consistent with the current Parks, Culture and Recreation Master Plan. The YMCA has established standards of design and programming and would require autonomy and control in these matters while providing community access (see below). Partners would be invited to participate and have input into the YMCA planning decision-making process.

b) Consistent with the City's Alternative Service Delivery policy, staff have prepared a municipal comparator analysis comparing costs of a self developed and operated recreational facility versus the YMCA partnership model, refer to the Alternative Service Delivery analysis – Municipal Comparator section below. However the City would not incur any programming costs.

PARTNERSHIP PRINCIPLE

That the YMCA recreation facility would be developed in-lieu the need for the City to develop a similar recreation facility at Turner Park.

5) YMCA responsible for capital construction of their facility

a) The YMCA supports the establishment of a YMCA at the Turner Park location to service an established need in the South Mountain Community. Subject to resolution of several issues and the completion of a memorandum of understanding, the YMCA Board will commit to this project no later than the year-end 2002.

b) The YMCA proposes to develop a 62,000 (approximately) square foot facility assuming a capital contribution from the City for an anticipated "over-sizing" of the facility. The facility will provide a range of community services including aquatic centre, gymnasium, licenced childcare, community multi-purpose rooms, fitness centre and related amenities.

c) In addition the YMCA has also developed a partnership with Hamilton Health Sciences to provide a health promotion programs. Details of this sub-agreement are currently being developed.

In addition, staff advised that Hamilton Health Sciences may wish to expand their role to include a 40,000 square foot facility at this location. In this scenario, Hamilton Health Sciences would need to be a full partner.

Unfortunately, at the time of writing this report there is insufficient information so that Staff can evaluate the technical feasibility of this initiative on the Turner Park site. Therefore this report DOES NOT include provisions for an expanded role for Hamilton Health Sciences and they are not considered "full partners" at this time.

d) YMCA plans to contribute $11 million in capital to the project; however, since $1.5 million of this amount will come from a Hamilton Mountain capital campaign to be conducted in 2003, the final amount of the YMCA's contribution will be dependent on campaign success; all indications are that they can raise at least $1.5 million, but any shortfall would have to be covered by a reduction in square footage of the facility.

e) The YMCA would contribute to the cost of any shared/common spaces as well as the development of the exterior grounds. An agreement would be developed with respect to the design and construction of the YMCA facility and/or the library component.

PARTNERSHIP PRINCIPLE

That the above be a principle for future negotiations with the YMCA and that a development agreement for the design and construction of the joint facilities be established between the City and the YMCA.

6) Access to Recreational Services

a) Staff have identified that community access to the YMCA is a key component and requirement to the ultimate success of this project. Issues such as "openness" to all members of the community have been discussed at length.

b) To address the community access issue the YMCA advises that they are a diverse and inclusive organization. For example:
  - The YMCA is a non-denominational organization that involves everyone, including men and women and children of all ages.
  - The YMCA is an Association of volunteers, staff and participants dedicated to the growth of all persons in spirit, mind and body.
  - The YMCA provides financial assistance to anyone that cannot afford the cost of membership or program fees. (Refer to Appendix B, letter from Scott Haldane, President and CEO, YMCA of Hamilton/Burlington.)

c) In addition access to the Hamilton Mountain Family YMCA would be ensured to all the community in four ways:

  - Making available to all residents of Hamilton an affordable membership;
  - Assisting individuals and families that cannot afford the full cost of membership;
  - Offering a day pass to use the facility and participate in drop-in programs;
  - Providing community access to the general public to the YMCA swimming pool for approximately 20 hours per week at the same rate charged in municipal swimming pools.

d) City Staff worked closely with the YMCA to develop this community access approach and support the proposed plan as acceptable for the South Mountain Community Centre.

PARTNERSHIP PRINCIPLE

That YMCA policy of community access to programs and facilities be a principle for broader community access to recreational services of the facility.

7) Inclusion of the Library

a) The YMCA commitment is based on the assumption that the Library will be part of the Centre. The total project cost is $7.7 million, with the current "net" capital cost for the library is estimated at $4.7 million (inclusive of land costs and a contribution from development charges). The library is eligible for up to $ 6.4 million from development charges. However, there is currently only $ 4 million in the area-affected Library Development Charge Reserves with other growth-related Library projects being planned. Therefore, for the purposes of this report, staff are assuming a $3 million contribution from Library Development Charge Reserve funds. The balance would have to be debt-financed but staff would also review the possibility of recovering this cost from future Development Charge collections. The project is currently forecast for 2005, but funding is limited.

b) There are construction efficiencies, perhaps design innovations and cost savings if the YMCA and library were designed and constructed at the same time. City Staff support the co-ordination of the two programs and the advancement of the library construction to coincide with the construction of the YMCA.

If so, this will require Council to authorize the capital expenditures for the library sooner than originally anticipated and therefore will "crowd out" other capital projects. Even by delaying other capital projects, affordability remains an important issue given the many financial constraints faced by the city. In order for the Library project to coincide with the YMCA project, design fees would need to be approved as part of the 2003 capital budget with the remaining construction and other costs being included in the 2004 capital budget. If the project is not approved as part of the partnership it is anticipated that cost will increase.

c) In addition to incurring capital costs sooner, there will also be an impact on Library operating costs. The anticipated total tax levy costs associated with the library (starting in 2005) is approximately $1,334,734 (refer Table 1 below) or a 0.5 % tax increase for the average homeowner (assessed value of $155,000). The above noted figure includes an annual financing cost of $516,034 for 15 years and an annual capital replacement cost of $192,500.

TABLE 1 Library Costs

Expenditure	**Amount**
Utilities	$ 25,100
Programming/Staff	$ 381,000
Grounds/Repairs/General	$ 240,100
Revenues	$ (20,000)
Replacement Reserve Provision	$ 192,500
Capital Financing Cost (7%,15 yrs)	$ 516,035
Total Library Levy Costs	**$ 1,334,734.74**

Estimated Annual Cost Self Model - Recreation and Library	$ 2,742,138.90
Estimated Annual Cost YMCA Model - Library and YMCA	$ 1,334,734.74

PARTNERSHIP PRINCIPLE

That the design and construction of the Library be developed jointly with the YMCA facility.

That the schedule for the development of the Library, at Turner Park, be revised to the year 2003 for design fees and 2004 for construction and all other cost to coincide with the development of the YMCA;

8) Partnership Profile

a) The Project Team supports that all partners would have an identity prominent on the exterior of the Community Centre. Consistent with policy, the City would be duly identified. For the purposes of furthering the identity discussion, the facility would be identified as the South Mountain Community Centre with individual partners "Police Services", "YMCA" and "Library" components clearly identified. The YMCA facility would include the municipal logo once the municipal "branding" initiative has been approved.

PARTNERSHIP PRINCIPLE

That all partners including the City are included in the partnership profile and "branding" of the joint facility.

9) Governance

a) Facility Management matters including governance have been discussed and the following established as working principles:
  - the partnership would work together to deliver services to the South Mountain Community through this facility including sharing spaces, collaborating on programming and maximizing efficiencies;
  - there would be shared common space;
  - cost sharing of common spaces would be based on a fair share formula to be developed;
  - common space would be kept to a minimum but it would be sufficient to provide a welcome experience to visitors;
  - the use of common space by private sector commercial uses (i.e. food services) would be investigated;
  - management of the community centre would be centralized;
  - the specialized maintenance needs of the YMCA and other partners would be recognized an as such the partners may decide to operate and maintain their dedicated spaces separately;
  - whenever possible, the partners would develop programs together and provide reasonable access to spaces and programs to the other partners.

b) The project team developed a three level governance model, with each "level" having different scope and responsibility and decision making authority based on their relative accountability. The three level structure is proposed as follows:

   i) **Level One: Council and Boards of YMCA, City and Library**
      - Responsibilities include matters related to property, capital, financial and legal.

   ii) **Level Two: Community Centre Board**
      - Consisting of senior staff from each partner, responsible for implementing the directions of Council and Boards and establish policy.

   iii) **Level Three: Operating Group**
      - Representation from each partners responsible for the day to day maintenance and operations matters and reporting to the Community Centre Board

PARTNERSHIP PRINCIPLE

That the above noted principles be the basis for a Community Centre Governance Model and that an acceptable governance body and operational agreement be established satisfactory to all three partners.

Outstanding Issues

Payment of Development Charges by YMCA: Of note is the issue of Development Charge liability (approximately $275,000) for this YMCA project. If the City builds this project, there would be no collection of development charges. The YMCA as developer, have not included this in their construction cost estimate. Staff will further negotiate this issue with the YMCA and present this issue to Council in a follow-up report.

Municipal Comparator, Recreation Component Only

Staff has prepared a cost analysis based on a "Self Developed Model" vs a "YMCA Partnership Model", the preliminary results of this financial analysis are found in Appendix C. Key highlights of this analysis are as follows:

Self Developed Model

- The gross total project cost if the City were to construct a stand alone community centre would be approximately $9.2 million dollars, (including land costs, design and construction costs, the cost of replacement of one baseball diamond). The maximum amount of cost development charge funding that is currently available in reserves would remain at approximately $2,000,000, and an additional $850,000 would be funded from the former Hamilton Unallocated Capital Reserve, therefore requiring $6,350,000 to be funded from the 2003 Tax Capital Budget. (i.e. only $2 million in development charges recreation reserves exist today, but balances would increase if the project was deferred).

- Net annual cost to the municipality would be $1,407,404. This figure includes financing, capital repair, operating expenditures and revenues costs as well as a replacement reserve provision.

YMCA Partnership Model

- $ 2 million dollar municipal construction contribution funded through development charges. $850,000 required for land cost and to replace one baseball diamond funded from reserves, for a total $2.85 million total contribution to the project
- YMCA plans to contribute $11 million in capital to the project; however, since $1.5 million of this amount will come from a Hamilton Mountain capital campaign to be conducted in 2003, the final amount of the YMCA's contribution will be dependent on campaign success; all indications are that they raise at least $1.5 million, but any shortfall would have to be covered by a reduction in square footage of the facility
- YMCA provides $11 million (total cost equals $13 million) in capital towards the design and construction of the Hamilton Mountain Family YMCA;
- YMCA is responsible for all ongoing operating costs;
- YMCA is responsible for capital reinvestment in the YMCA portion of the facility;
- YMCA brings a wide range of programs and services beyond the normal physical fitness provision that include youth leadership development, volunteer development, child care, youth at risk and employment training to name a few.
- Community access to the facility and the programs offered has been considered and the YMCA would ensure that all residents are able to have access through membership, financial assistance, day passes and swim passes.
- It is estimated that fifty per cent of the membership will be adults and fifty per cent will be children with an understanding that half of the members will join as a family.
- Community access to recreational programs.
- The City does not incur any recreational programming costs.

Municipal Comparator, Recreation/YMCA and Library

A comparison of development models, (refer to Table 1 in the Analysis of Alternative section of this report), which includes the library component with the YMCA model would result in a total City tax impact, (in the year 2005), of $1,334,734 annually or a 0.5 % tax increase for the average homeowner. The Self-Developed model in this scenario would cost the taxpayers $2,740,000 annually or a 1.0 % tax increase. All costs have been factored into this estimate including contributions to a replacement reserve.

Municipal Comparator, Recreation/YMCA, Police and Library

Staff has also prepared a municipal comparator for the entire complex including recreation/YMCA, police and library services. Details of this comparison are included in Appendix D. This analysis incorporates the projected impact on all affected City budgets (i.e., Library and Culture and Recreation), plus the Police Budget as well. These include all capital financing, operating, maintenance and replacement reserve cost impacts.

Conclusion

If the "Partnership Principles" and issues outlined in this report are acceptable to Council and the partner Boards staff would then proceed with preparing a draft "Memorandum of Understanding". This document establishes an "intent" from all partners to proceed with the project. More detail would be developed in subsequent lease and operations agreements.

It is anticipated a final report including a "Memorandum of Understanding" will come forward to a Committee of the Whole meeting in late November 2002, tentatively November 26, 2002. Prior to returning to Committee of the Whole with this report, staff are recommending that a neighbourhood meeting be held to solicit community input. A tentative date, subject to Council approval has been established for October 24, 2002. Refer to Appendix E for Project Schedule.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective, the YMCA Partnership model achieves the following financial goals;

a) Has a minimum tax levy impact by reducing overall capital costs to the City of Hamilton.

b) A smaller City financial contribution leverages a larger project (versus the self-development model).

c) No on-going operating or programming cost component for the City for recreational services.

As noted earlier, financing this project (either the recreation or library component) will be difficult in view of the many budgetary and fiscal pressures facing the City. Council will recall that the City faces $30 million in budget pressures each year over the next 3 years.

Also, over the 10-year capital forecast period, project requests exceed available financing by about $700 million, therefore the City's ability to construct and finance new facilities will be limited.

However, as noted in the Municipal Comparator section of this report and given the budgetary and fiscal pressures facing the City a partnership with the YMCA is an alternative service delivery model minimizing both capital and operating expenses for the City while continuing to provide recreational services and programs to the community. More detail benefits and risks analysis would be provided as part of the final report associated with the "Memorandum of Understanding".

POLICIES AFFECTING PROPOSAL:

The preliminary analysis of this possible partnership with the YMCA is consistent with the objectives of the City's Alternative Services Delivery principles and guidelines, approved by Council in 2001. As indicated it is anticipated a final report including a "Memorandum of Understanding" will come forward to a Committee of the Whole meeting in November 2002.

Should Council ultimately approve the "Memorandum of Understanding" with the YMCA, Staff will proceed with finalizing the partnership and prepare the necessary agreement(s) between the City and the YMCA and **NO** Request for Proposals will be issued.

The YMCA is anticipating a formal commitment through the "Memorandum of Understanding" from the City, so that a decision of the YMCA Board can be confirmed by the end of 2002. YMCA anticipates to have the facility opened by 2005.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

This report has been prepared in consultation with the following departments and agencies:
Culture and Recreation Division
Corporate Buildings and Real Estate Division
Design and Construction Division
Budgets & Fiscal Policy Division, Finance & Corporate Services Department
Staff from Hamilton Library Services
Staff from Hamilton Police Services
Staff from the YMCA of Greater Hamilton/Burlington

CITY STRATEGIC COMMITMENT:

This initiative is consistent with the objectives of Vision 2020 and the following City Strategic goals.

Personal Health and Well Being

- To provide adequate and appropriate health care services for all citizens;
- To promote health and prevent disease and injury;
- To improve personal health status.

Community Well Being and Capacity Building

- To develop cultural institutions, public facilities and parks and open space which inspire community pride and sense of place;
- To build and develop the capacity of individuals, community organizations, the private and non-profit sectors to be self-reliant.

In addition, this initiative is consistent with the strategic directions of the Parks, Culture and Recreation Master Plan specifically; fifteen Strategic Directions are provided of which at least five are directly relevant to the question of the South Mountain Partnership.

Appendices

A. Case for Partnership with YMCA
B. Letter from Scott Haldane, President and CEO YMCA dated July 4, 2002
C. Preliminary Municipal Cost Comparator Analysis – Recreation Only
D. Preliminary Municipal Cost Comparator Analysis – Recreation/Police/Library
E. Preliminary Project Schedule

APPENDIX A

South Mountain Community Centre Partnership
Case for Partnership with the YMCA of Hamilton/Burlington

YMCA Proposal:

- City of Hamilton provides approximately 5 acres of land in the form of a 25 year renewable lease at $1 per year
- City of Hamilton provides $2 million in capital towards the construction of the Hamilton Mountain Family YMCA in the form of applicable development charges
- City of Hamilton makes every effort to identify other sources of capital to further enhance the size and scope of the Hamilton Mountain Family YMCA (e.g. Superbuild, Hydro fund, etc.)
- City of Hamilton accelerates the South Mountain Public Library so that design and construction of the YMCA and the library can happen simultaneously in 2003 and 2004 to maximize the savings and synergies of the two projects
- YMCA provides $11 million in capital towards the construction of the Hamilton Mountain Family YMCA
- YMCA involves Hamilton Health Sciences as a capital contributor and program partner within the Hamilton Mountain Family YMCA
- YMCA is responsible for all ongoing operating costs (estimated to be $150,000 – 250,000 net annual cost savings to the City of Hamilton or $6 – 10 million over the 40 year life of the facility)
- YMCA is responsible for all capital reinvestment in the facility (estimated to be $250,000 annually or $10 million over the 40 year life of the facility)

Rationale

In 1995, as part of a 10-year vision, the YMCA of Hamilton/Burlington decided to build and open a new Hamilton Mountain Family YMCA by 2005. Following a very successful capital campaign in 1998-1999, it became clear that we would be able to realize this vision. In 2001, with the opening of the Flamborough Family YMCA as a partnership between the City of Hamilton and the YMCA of Hamilton/Burlington, the possibility of including the Hamilton Mountain Family YMCA as part of the South Mountain Community Centre at Turner Park was identified. The YMCA would replace the need for a municipal recreation centre within the Community Centre.

Question: If the YMCA of Hamilton/Burlington is going to build a new Hamilton Mountain Family YMCA anyway, why should the City of Hamilton include the YMCA in the South Mountain Community Centre and provide land and at least $2 million in development charges towards the project?

Response:

- Since the YMCA would replace a municipal recreation centre on the South Mountain, we anticipate that demand from the community will be significantly higher, especially related to access to the swimming pool. The capital contribution of at least $2 million from development charges will allow the YMCA to increase the size of the facility by 7,969 square feet (61,809 sq.ft. rather than 53,840 sq. ft.). This increase would provide program space that is consistent with municipal priorities.

Activity Area	YMCA "Stand-alone" Plan	YMCA/ Municipal South Mountain Community Centre Partnership Plan	Rationale for Increased Size	Cost per sq. ft. of New Space	Cost of New Space
Public area (washroom, lobby, reception, social)	3,000	3,600	Increased traffic, public swim access	$226	$135,600
Informal child minding	1,000	1,000	No change		
Administration	960	960	No change		
Community multi-purpose rooms	3,950	4,740	Meeting space, community use, birthday parties	$226	$178,540
Program (gymnasium, conditioning centre)	17,400	20,010	Day pass use especially by teenagers and students	$226	$589,860
Aquatic	7,800	9,750	Increased capacity for public swim and lessons; leisure pool area	$325	$633,750
Change rooms	9,000	10,800	Increased capacity for public swim and lessons; day pass use	$244	$438,750
Health/Wellness Centre	1,260	1,260	No change		
Child Care	4,370	4,589	Police use	$226	$49,381
Service/Mechanical	5,100	5,100	No change		
Total	53,840	61,809	Replacing municipal recreation centre serving the entire South Mountain		$2,025,881

- The YMCA of Hamilton/Burlington has always planned to ask the City of Hamilton to lease the land on which the Hamilton Mountain Family YMCA would be located at a nominal cost.
- The YMCA is responsible for all ongoing operating costs, 85% of initial capital costs, and all ongoing capital reinvestment costs.
- The YMCAs policy of "user pay" with financial assistance for those in need ensures that recreation services are provided on the South Mountain without burdening the taxpayer.
- The YMCA would contribute a fair share of capital and operating costs related to common areas within the South Mountain Community Centre.
- There are capital and operating cost savings associated with locating the YMCA along with the Police, Library and other municipal services.

- There are many program synergies created by co-locating the YMCA, Hamilton Health Sciences, the police, the library and other municipal services.
- The YMCA would ensure that all Hamilton residents are able to access the facility through membership, financial assistance, day passes and swim passes.
- The YMCA brings a wide range of programs and services that fulfill the charitable mission of the organization and go beyond "gym and swim" including youth leadership development; volunteer development; philanthropy; child care; international development; teen nights for the community; integration of difficult to serve populations including children at risk; psychiatric patients; people with disabilities; early high school leavers; teenage mothers and their children; access to the facility by other community organizations; day camp; employment training and alternative education for youth; values education; etc.
- 50% of the membership (estimated to be 6,500 to 8,500) of the Hamilton Mountain Family YMCA will be children and youth while 50% will be adults; approximately 50% of members will join as families
- The YMCA brings community support to the project with nearly 1,500 donors having contributed to the Hamilton Mountain Family YMCA and ongoing philanthropy programs that generate time, talent and treasure for the community.
- At $10 per sq. ft., the YMCAs standards for facility maintenance and cleanliness are very high. Likewise, standards related to mission delivery, values in action, convenience, safety and friendly and welcoming service are based on a national YMCA program of excellence in values-based membership.

YMCA
We build strong kids,
strong families, strong communities.

YMCA of Hamilton/Burlington
79 James Street South ,Hamilton, Ontario L8P 2Z1 tel: 905 529-7102 fax: 905 529-6682 www.ymcahb.on.ca
Charitable registration # 10808 3825 RR0001

APPENDIX B

July 4, 2002

Mr. David Schram
David Schram and Associates
8-6100 Thorold Stone Road, Dow Plaza
Niagara Falls, ON L2J 1A3

Dear David,

Further to the meeting of the South Mountain Community Centre Partnership on June 27, 2002, I am writing this letter to address some of the concerns expressed about accessibility to the Hamilton Mountain Family YMCA.

While historically our organization focused on young Christian men, Canadian YMCAs voted to remove the periods between the letters of Y.M.C.A. in 1990. We have kept the name YMCA due to the strong recognition that we enjoy in Canada and around the world as well as to distinguish ourselves from the YWCA.

We are no longer only "young" since we involve people of all ages (75% of our 45,000 members and participants in Hamilton/Burlington are children and youth, while 25% are adults). We measure age in spirit, not in years!

We are no longer only "men" since we involve an equal number of men and women, boys and girls in our programs. Approximately 80% of our staff members are women including 4 of 5 Vice Presidents and 10 of 14 members of the Senior Leadership Team. 3 of the past 5 Chairs of the Board of Directors have been women.

We are no longer only "Christian". People of all denominations are involved as members and participants and non-Christians can serve on our Board of Directors and are employed as members of our staff team. For example, over the past decade, the CEO of YMCA Canada has been a member of the Jewish faith, while his second-in-command is Muslim.

We remain an Association of volunteers, staff, members and participants dedicated to the growth of *all* persons in spirit, mind and body. Our vision is that the YMCA of Hamilton/Burlington is a charitable organization that involves a growing number of members and participants who *reflect the diversity of the total community*. We build strong kids, strong families and strong communities.

This diversity is reflected in many ways. For example, 30% of the 45,000 members and participants receive financial assistance from the YMCA or a third party in order to cover the cost of membership or program fees. Partnerships with health organizations such as Hamilton Health Sciences have led to an increasing number of members and participants who face health problems.

We propose to ensure access to the Hamilton Mountain Family YMCA by all citizens of the City of Hamilton in the same way that we have ensured access to the Flamborough Family YMCA. People will be able to become involved in the Hamilton Mountain Family YMCA in four ways:

- Purchase a membership at a cost that is affordable to most residents of Hamilton Mountain. This fee has been tested in market research conducted by Leisureplan International and is consistent with what is charged in other YMCA Family Membership Centres in the Hamilton/Burlington area. This fee is designed to ensure that the cost of operating the YMCA facility is fully recovered. Membership at the YMCA is open to all. Membership is a way of describing the intensity of the relationship between the individual and the YMCA. Membership promotes a sense of belonging and ownership and eventually results in strong commitment to the values and mission of the YMCA.
- Receive financial assistance in order to reduce the membership fee to a level that is affordable. This assistance is clearly and proactively communicated in all YMCA materials. People requesting financial assistance receive a confidential interview with trained YMCA staff. Once financial assistance is approved based on the individual's situation, there is no way to distinguish a member or participant on financial assistance from any other member. We are projecting that 15% of the members of the Hamilton Mountain Family YMCA will receive financial assistance.
- Purchase a day pass. Daily passes to access the facility and participate in drop-in programs (approximately 90% of adult programs and 50% of children's programs) are available at a reasonable rate (currently $10). The rate is set in order to make daily access affordable but also to encourage membership for people who visit the facility on a regular basis.
- Access the swimming pool for approximately 20 hours of weekly public swimming through the purchase of a swim pass at the same rate charged in municipal pools in similar communities in Hamilton.

We strongly believe that the mission and vision of the YMCA of Hamilton/Burlington, combined with the options for involvement outlined above, will ensure that all the citizens of Hamilton will have equal access to the Hamilton Mountain Family YMCA. The partnership between the City of Hamilton and the YMCA of Hamilton/Burlington that has resulted in the Flamborough Family YMCA has demonstrated this conviction.

Yours truly,

Scott Haldane
President & CEO

APPENDIX C

City of Hamilton - Community Services Department
YMCA Partnership Proposal - Turner Park
Preliminary Municipal Cost Comparator Analysis
(Recreation/YMCA Component Only)
September 26, 2002

Capital Expenditures	Self Developed Model		YMCA Partnership Model	
Land	$	650,000	$	650,000
Design	$	500,000		
Construction	$	6,400,000	$	2,000,000
FF+E, Contingency, taxes, other soft costs	$	1,440,046		
Ball Diamond Replacement	$	200,000	$	200,000
Gross Total Project Cost	**$**	**9,190,046**	**$**	**2,850,000**
Revenues (Development Charges/other)	$	(2,850,000)	$	(2,850,000)
Net Total Project Cost	**$**	**6,340,046**	**$**	**-**

Annualized Costs (First 15 years)	Self Developed Model		YMCA Partnership Model	
Estimated Total Annual Capital Financing Cost	$	696,103	$	-
Estimated Annual Capital Repair	$	150,000		
Estimated Annual Expenditure Cost	$	731,280	$	-
Estimated Annual Revenues	$	(399,730)		
Replace Reserve Provision	$	229,751	$	-
Total Net Annual Cost	**$**	**1,407,404**	**$**	**-**

APPENDIX D

City of Hamilton - Community Services Department
YMCA Partnership Proposal - Turner Park
Preliminary Municipal Cost Comparator Analysis
Recreation(YMCA)/Police/Library Complex
September 26, 2002

Capital Expenditures	Self Developed Model	YMCA Partnership Model
Land	$ 1,367,000	$ 1,367,000
Design	$ 1,675,000	$ 1,175,000
Construction	$ 18,050,000	$ 13,650,000
FF+E, Contingency, taxes, other soft costs	$ 5,933,046	$ 4,493,000
Ball Diamond Replacement	$ 200,000	$ 200,000
Gross Total Project Cost	**$ 27,225,046**	**$ 20,885,000**
Revenues (Development Charges/other)	$ (9,150,000)	$ (9,150,000)
Net Total Project Cost	**$ 18,075,046**	**$ 11,735,000**

Annualized Costs (First 15 years)	Self Developed Model	YMCA Partnership Model
Estimated Total Annual Capital Financing Cost	$ 1,984,543	$ 1,288,440
Estimated Annual Capital Repair	$ 450,000	$ 300,000
Estimated Annual Expenditure Cost	$ 1,342,860	$ 611,580
Estimated Annual Revenues	$ (419,730)	$ (20,000)
Replacement Reserve Provision	$ 680,626	$ 450,875
Total Net Annual Cost	**$ 4,038,299**	**$ 2,630,895**

APPENDIX E

Preliminary Project Schedule

Possible Partnership with YMCA at South Mountain Project
Turner Park
September 7, 2002

Task	Target Date
Committee of the Whole – Status Report	October 8 2002
Community Meeting	October 24, 2002
Committee of the Whole – Report "Memorandum of Understanding"	November 26, 2002
Council Approval – "Memorandum of Understanding"	November 27, 2002
YMCA Board Confirmation of Partnership	December 17, 2002
Finalize technical agreements of partnership	Q2 – 2003
Design development	Q4 – 2003
Construction	2004
Opening	2005

CITY WIDE IMPLICATIONS

5.2

CITY OF HAMILTON

SOCIAL AND PUBLIC HEALTH SERVICES DEPARTMENT
Health Protection Branch

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joe-Anne Priel, General Manager Elizabeth Richardson, Medical Officer of Health
Date:	October 1, 2002	**Prepared by:**	Susan Harding-Cruz 3576 Kate Feightner 3538

SUBJECT: **Comprehensive Food Premises Food Safety Program (FPFSP) SPH02003(b) (CITY WIDE)**

RECOMMENDATION:

(a) That Council approve the concept of the recommended Food Premises Food Safety program (Model One in Appendix 2 attached to this report).

(b) That Council approve initial knowledge management changes to develop new certificates of inspection (green and red signs) and food premises inspection forms (inspection record for operators) using existing resources in 2002.

(c) That the remaining components and related costs of Model One ($195,000 for annual operating costs and $360,000 for one-time start-up costs) be referred to the 2003 Tax Budget process for consideration and possible implementation.

Joe-Anne Priel, General Manager
Social & Public Health Services

Elizabeth Richardson, Medical Officer of Health
Social & Public Health Services

EXECUTIVE SUMMARY:

The Social and Public Health Services Department recommends the following changes to the food premises food safety program in order to provide:

- a comprehensive approach to food premises food safety;
- full access to easy to understand, accurate and reliable food premises information for the public;
- full compliance with provincial mandatory requirements; and

- a sound basis for future developments in the food safety and other inspection programs.

The key 'disclosure' component of the new program will be known as P.I.A. – Public Information Accessibility.

The goals and objectives of the program would be twofold:

a) Ongoing Mandatory Food Safety Program (Ministry of Health and Long-Term Care)

Goal: To improve the health of the population by reducing the incidence of food borne illness.

Objectives:

i) To ensure that food is stored, prepared, served and distributed in a manner consistent with accepted public health practices.
ii) To stop the sale or distribution of food that is unfit for human consumption by reason of disease, adulteration, impurity or other cause.

b) New Public Information Accessibility Component (P.I.A. -Disclosure- non mandated)

Objectives:

Primary
i) To increase accessibility of information on licensed food premises inspections to the public
ii) To increase public awareness of food premises food safety inspection process

Secondary
i) To contribute to increased compliance of operators of licensed food premises
ii) To contribute to minimizing the opportunity for foodborne illness in licensed food premises

This report presents an analysis of existing disclosure programs and the attached business case (appendix 2) offers three model options which have been assessed on the above objectives. Option one is the recommended model as the initial and ongoing investment in the program would permit the most comprehensive public access to information together with improvements for how work is performed. P.I.A. would involve a two sign posting system (green and red) at all City of Hamilton licensed food premises, enhanced Website inspection information and a Food Premises Hotline. A new database, standardized inspection forms and the introduction of mobile technology for conducting inspections in the field would improve work processes and support the P.I.A. sources.

Model one also includes a continuous quality improvement and evaluation component. These elements of the comprehensive program are in place to ensure accuracy in the information provided to the public and the best value in service delivery. Investment in quality improvement and evaluation will enable the identification of future efficiencies as well as the effectiveness of the program overall.

Next steps will include:

- Exploring with non- licensed premises operators their interest in sharing inspection information with the public as the new program will continue to be limited to licensed food premises.
- Further analysis of mandated food handler certification pending a provincial decision on regulation of such training.
- Considering further enhancements to the P.I.A. component, including opportunities for food premises operators to demonstrate their compliance record in conjunction with their participation in other food premises food safety related programs such as Fight Bac! and Eat Smart !

BACKGROUND:

The recommendations contained within this report have City-wide implications.

A Committee of the Whole report, dated December 11, 2001 (known as SPH01041, the Progress Report on Restaurant Food Safety Inspection Program) committed to bringing a report forward to Council to:

- report on a comprehensive Food Premises Food Safety program
- review food disclosure options from other jurisdictions
- consult with restaurant industry and public
- present cost/benefit analysis of recommended program
- consider amending Licensing Code for Mandatory food handler certification

The report SPH02003 on February 5 proposed an interim disclosure program for the City of Hamilton and SPH02023 on August 13 addressed the proposed provincial mandatory food handler certification and local impacts, if enacted.

This report addresses the issue of moving from the interim program to a comprehensive food premises food safety program.

The interim disclosure program was implemented February 18, 2002 and consists of a one green sign system. Only City of Hamilton licensed food premises (food shops, restaurants, butcher shops, hot dog carts, supermarkets, etc.) are involved in the posting of certificates of inspection. Premises not included in this program are listed in Appendix 1. Convictions and orders under the Health Protection and Promotion Act (HPPA) for all food premises are posted on the Website and appear once in the Hamilton Spectator. Phone enquiries are received through Department reception.

The interim disclosure program was implemented as a temporary measure pending a report on a comprehensive food premises food safety program. The interim program's main objective was to provide inspection information to the public through posted signs at licensed food premises and conviction and HPPA Order information on the Website and in the media.

As no evaluation component exists with the interim program, it has been difficult to gauge public uptake of the new information now available. Despite over 3300 certificates of inspection being issued from February 18 to September 12, 2002, with 136 food premises not meriting a certificate during at least one inspection, there have been fewer than 20 related telephone enquiries to the Department from the general public. Hits to the food pages of the Department Website averaged 30 per day in the summer however it is not clear what these numbers mean for the success of disclosure. Some interest has also been shown in accessing food premises information through Freedom of Information requests. Although few, they have been very time consuming to fulfil and it cannot be determined if the general public made any or all of these requests.

Additional process problems include the signs, Website information and newspaper publications. Ink has been found to fade on the signs leaving no name or inspection date (now using felt pen) and holders are not withstanding wear and tear. While staff have endeavoured to provide the required Website and newspaper information, some deadlines have been missed and errors made in content.

Health Protection Branch staff time and resource costs to implement and operate the interim program are estimated at $100,000.

Research and consultations have been undertaken toward recommending a new comprehensive model for an improved food premises food safety program. In addition to consultations with stakeholders (see Consultation with Relevant Departments/Agencies), literature reviews were performed to determine systems with best practices and to learn about problems to avoid (see Summary of Literature Review in Appendix 4).

The framework for the program was developed, and includes six components:

1. Existing Mandatory Food Safety program requirements
2. Proposed Mandatory Food Handler Certification
3. Knowledge Management & IT
4. Public Information Accessibility –P.I.A (disclosure)
5. Public Awareness and Education
6. Quality Assurance and Evaluation

Use of the current, Ministry-provided computerized inspection services system (CISS), manual inspector daysheet logs and non-standardized inspection forms have led to a 10% margin of data error, duplication of data entry and inconsistent completion of inspection forms. With the recommended model, these problems would be corrected through knowledge management and IT changes including the use of mobile technology in the field. In turn, these changes would provide the necessary foundation to support all components of the new program.

The model will also provide the public with access to new inspection summary signs (green and red) at each City of Hamilton licensed food premises. Green signs would be posted at each premises unless closed (red sign). Both signs will provide:
- the date of inspection
- name and address of the premises
- frequency of minimum inspections (three, two or one)
- the Medical Officer of Health's pre-printed signature
- pre-printed number for each certificate
- website and telephone access information
- details of the inspection presented so the public will see a delineation between non critical items and critical items, including reasons for closure
- past legal action/history of the premises

Other sources of inspection report information would be found on the Department Website and via the new Food Premises Hotline.

While staff can begin the necessary initial knowledge management changes, further development of the program cannot begin until the budget for the program is approved. The new signs could be implemented 9 months after budget approval. Full implementation of the new program would occur 3 months later. A pilot stage to test the feasibility of mobile technology will occur prior to the full implementation of the new program. The current interim system will remain operational until components are ready to launch. Quality assurance will improve for the interim system, if model one is chosen, as QA staff will assist with the interim system disclosure requirements to the public.

It is important to emphasize that disclosure systems are not directly linked to the mandatory requirements for inspection as set by the Ontario Ministry of Health and Long-Term Care through the HPPA, the Mandatory Public Health & Services Guidelines or the Food Premises regulation. Public access to inspection information is not a provincial requirement. As such, as Board of Health members, Council must be cognizant that while inspections are mandated, sharing that information with the public in overt ways is not. It is Council's decision whether information is to be routinely, actively provided to the public and to what extent. To meet the city's strategic outcomes, full active provision of inspection information is recommended.

ANALYSIS OF ALTERNATIVES:

Existing disclosure models were reviewed to determine whether one would fit the needs of Hamilton. It was determined that although some models had features to consider adopting, no one model met all the needs of the public or stakeholders. See Disclosure Models in Appendix 3.

Some models operated with one sign, some were voluntary and others involved mandatory grading. Grading models specifically pose a legal implication as the grades are subjectively created to attempt to quantify a level of risk to the public. No system bases their grades on existing legislation.

Hamilton's proposed model is not a grading system. All licensed food premises that are open will have a green sign as they pose no immediate health hazard to the public as defined under the Health Protection and Promotion Act. Inspection information shared on the sign will provide the details for the public to decide whether or not they wish to enter the premises as the details will present compliance findings. It is recommended that Hamilton avoid imposing grades and instead provide information in a factual manner that is based on legislation.

Hamilton could also decide to eliminate the posting of inspection information directly at food premises as the city of Vancouver's disclosure system has opted to not post signs to avoid any misrepresentation of information.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

Funding for aspects of the Food Premises Food Safety program that relate directly to disclosure of information to the public will not be funded by the province as disclosure is not a legislative requirement. Expenditures include cost and maintenance of posting the signs at food premises, Website inspection information management, quality assurance of public accessibility information (P.I.A.), as well as public awareness campaigns and evaluations related to disclosure. Disclosure costs are estimated to be $195,000 annually for salaries and resources. One time costs are estimated at $360,000 for development and implementation of knowledge management & IT, public information accessibility resources and public awareness campaigns.

Staffing

Two public health inspector (PHI) positions were approved in 2001 and enhancements of six additional PHI positions (Branch wide) occurred this year. The staff complement focusing on food inspections and other routine inspections has increased. These staff will aid in the continued improvement in meeting mandatory inspection frequencies for the remainder of 2002 and for the future. During the implementation phases of the selected program, inspection staff time will be redirected as needed for program development and training which will have a temporary downward effect on inspection completion rates.

The recommended model would require one ongoing FTE for Quality Assurance and one temporary FTE for a Project Manager for the development and implementation phases (year one).

Legal

The proposed model does not require any new amendments to the existing Licensing Code related to the posting of certificates of inspection at licensed food premises.

As grading systems, such as the letter grading in L.A. or the colour grading in Toronto, are not based on any legislative framework and are therefore grades set by each city, it is recommended by this Department that Hamilton avoid imposing grades and instead provide information in a factual manner that is based on existing or current legislation.

Although deemed a tenuous argument by our Legal Department, the legal challenge against Toronto's grading system opposes grading systems because the creation of local legislation to impose internally dictated grading levels is purported to infringe on freedom of expression as it restricts a food premises operator's commercial expression intended to solicit business by contradicting the operator's message that his or her food premises offers a safe premises.

A future legal consideration will be the need for an amendment to the City of Hamilton Licensing Code By-law 01-156 should local mandatory food handler certification be required. As presented in the SPH02023 August report (Provincial Mandatory Food Handler Training and Certification), the province is currently considering mandatory food handler certification. If not imposed or if the requirements are not complete, local mandatory food handler certification will be recommended

POLICIES AFFECTING PROPOSAL:

As described in the financial and legal sections of this report, the Ministry of Health and Long-Term Care will not fund any disclosure related activities and the final decision on mandatory food handler certification and its implications are still pending.

Existing provincial legislative requirements dictate how public health inspectors are to perform food premises inspections- to assess for health hazards, enforce regulations and take legal action (closure, seizure of food, Orders to comply). These requirements will not change with the adoption of any model option.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Many consultative steps were taken to progress to this report. A consultant was retained to provide information on existing disclosure models. Several consultations were also held with the public, operators and public health inspectors to review models and elicit feedback. Meetings with Toronto were held and other jurisdictions with disclosure models were contacted. Information technology software and hardware choices were explored, internally and externally. See Summary of Consultations in Appendix #5.

Within the City of Hamilton, Legal, Communications, and IT were all contacted for their input.

CITY STRATEGIC COMMITMENT:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth and endorsed by the Transition Board as the basis of a vision for the "New" City of Hamilton, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all municipal decision-making.)

A comprehensive food premises food safety program will contribute towards the City of Hamilton Strategic Goals of a ***Healthy City*** and a ***City Where People Come First*** as the program aims to meet mandated inspection frequencies and to contribute to minimizing the risk of food borne illnesses while being open and accessible with inspection information for the public.

The program would also demonstrate ***A City That Spends Wisely and Invests Strategically*** by creating accurate, reliable data, knowledge management and IT systems as the foundation to support all program components. Continuous improvements through effective quality assurance and evaluation will guide the strategic direction for public information accessibility.

Appendix #1 Types of Premises Not Licensed Through City Of Hamilton Licensing Code 01-156

1. Provincially licensed premises- child care centres, nursing homes
2. Premises inspected by federal or provincial agencies – the Canadian Food Inspection Agency (CFIA) and the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). Types of premises they inspect include slaughterhouses, food plants or bakeries
3. Premises that are considered non general public access –Legion halls, wholesalers, private golf courses that have no hall rental to the public, nudist resorts
4. Hospitals
5. Residential Care Facilities (formerly known as Second Level Lodging Houses), lodging houses, group homes
6. Hotels and motels
7. Places within the city not yet determined to fall under licensing- as the municipalities merged and all had varying licensing requirements (some had no licensing), there are some inconsistencies in what types of places are licensed. There are some places that received licenses in the past that may not require one under the City of Hamilton or vice versa. As these are being worked on, some places are on hold for receiving a certificate. These include baseball parks with concession stands, private parks with concession stands, public parks with public halls/refreshment stands, city run or non-city run recreational centres/community centres that have either a public hall or concession stand, non-profit businesses, memorial halls, agricultural halls and live theatre refreshment stands
8. Farmers Markets, Hamilton Convention Centre, Hamilton Place, Art Gallery of Hamilton

Appendix #2.

Comprehensive Food Premises Food Safety Inspection Program
City of Hamilton
September 16, 2002

Business Case

I. Introduction / Background

This Business Case provides a concise overview of the proposed comprehensive food premises food safety inspection program for the City of Hamilton. Client benefits and strategic outcomes that drove the development of the program are identified. Specific components of the recommended program are described, as are the associated benefits, risks, timelines and costs. Alternative program options are provided along with the foreseen benefits and risks.

II. Client Benefits / Impacts - Why are we in business?

a) Who is our client / target population?
- The ultimate client of the food premises food safety inspection program is the general public (both Hamilton residents and visitors).
- The target population for the food safety inspection program overall is operators of licensed food premises.

b) What are the benefits or impacts to them?
Ongoing Mandatory Food Safety Program
The overall goal of this program is to improve the health of the population by reducing the incidence of food borne illness. Program objectives and benefits to the general public include:
- Ensuring that food is stored, prepared, served and distributed in a manner consistent with accepted public health practices;
- Stopping the sale or distribution of food that is unfit for human consumption by reason of disease, adulteration, impurity of other cause.

New Public Information Accessibility Component
The primary benefits of the new public information accessibility component of the food safety program are:
- To increase accessibility of information on the inspection of licensed food premises to the public.
- To increase public awareness of the food premises food safety inspection process.

The secondary benefits of this new program component include:
- To contribute to increased food safety compliance of operators of licensed food premises.
- To contribute to minimizing the opportunity for food borne illness in licensed food premises.

III. Strategic Outcomes - What we hope to achieve?

A comprehensive food premises food safety program will contribute towards the following City of Hamilton Strategic Goals:

- **A Healthy City:** A comprehensive program, including improved management of inspection data and mandatory certification of food handlers, will contribute towards ensuring the quality of life of Hamilton residents. Increasing the likelihood of operator compliance with food safety regulations could contribute to minimizing the opportunity for food borne illness in licensed food premises.

- **A City Where People Come First:** The proposed program will greatly enhance the amount of food safety inspection and education information to the public. This in turn will contribute to fulfill the City's strategic goals to be open and accessible, to communicate clearly and effectively with the public, and to provide full information about services.

- **A City That Spends Wisely and Invests Strategically:** The proposed program includes a continuous quality improvement and evaluation component. These elements of the comprehensive program are in place to ensure best value in service delivery. Investment in quality improvement and evaluation will enable the identification of future efficiencies as well as the assessment of the effectiveness of the program overall.

IV. Activity Outputs -How are we going to get there?
The proposed food safety food premises inspection program consists of six main components. Each component is essential to meeting the client benefits and strategic outcomes outlined above. The six main components are:

1. Existing Mandatory Food Safety Program
   - As outlined in existing legislation and guidelines

2. Proposed Mandatory Food Handler Certification
   - Currently under consideration at a provincial level as report to Committee of the Whole in August 2002 (SPH02023)

3. Knowledge Management and Information Technology
   - Standardized inspection forms
   - Up-to-date data management system
   - Policies and procedures to support the above
   - Hardware required to support knowledge management and public information accessibility

4. Public Information Accessibility
   - Inspection sign / certification at food premises
   - Inspection results available via website and other media

5. Public Awareness and Education
   - General public awareness of food premises food safety inspection program and roles and responsibilities of the City
   - Information for operators and consumers regarding new inspection program and information

6. Quality Assurance and Evaluation
   - Data quality assurance for public information accessibility component
   - Continuous quality improvement mechanism
   - Process and outcome evaluation to identify efficiencies and effectiveness (taking advantage of evaluation expertise in affiliated universities via PHRED Program)

The existing mandatory food safety inspection program is dictated by our mandatory health programs and services guidelines, the Health Protection and Promotion Act and food premises regulations. The proposed mandatory food handler certification component is currently under review at the provincial level.

Given the above, this business case will focus on the remaining four components of the program: Knowledge Management and Information Technology; Public Information Accessibility; Public Awareness and Education; and Quality Assurance and Evaluation. Each of these program components can be implemented in a variety of ways, each varying in scope, comprehensiveness, accuracy, responsiveness, cost, etc.

Each of the above four components were developed based on the findings from the environmental scan of existing disclosure models (Appendix 3), the literature review (Appendix 4) and the consumer, operator and PHI consultations (Appendix 5). Please see appendices for a summary of each piece of work.

Table 1 presents three options – or three different approaches – to implementing the proposed food premises food safety inspection program. The specifics of each option are broken down by program component. Table 2 presents the associated benefits, risks, timelines and costs for each of the three options.

Option 1 is the recommended model. This option includes the necessary infrastructure (knowledge management, public awareness and education, quality assurance) to make food safety inspection information available to the public in a timely, accurate and user-friendly fashion. Option 1 is the only package that enables the program to meet all of the identified client benefits and strategic outcomes.

Option 2 and 3 represent alternative ways to implement the proposed program. Both options represent a progressively smaller investment in the knowledge management / information technology, education, and quality assurance / evaluation components. The resulting programs, however, would not meet the identified client benefits and strategic outcomes. For example, a smaller investment in information technology represents a reduction in the comprehensiveness and accuracy of inspection information available to the public and public health inspectors.

Table 1. Food Premises Food Safety Program Components: Options 1, 2 and 3

NOTE: shaded areas represent components that are constant across each option.

*See Glossary of Terms in Appendix #6

Program Component	Option 1 – Recommended	Option 2	Option 3
1. Existing Mandatory Inspection Process	Status quo plus a standardized enforcement protocol	Status quo plus a standardized enforcement protocol	Status quo plus a standardized enforcement protocol
2. Proposed Mandatory Food Handler Certification*	To be determined once provincial decision whether to mandate	To be determined once provincial decision whether to mandate	To be determined once provincial decision whether to mandate
3. Knowledge Management * & Information Technology*	• new database software to replace CISS* • new standardized inspection forms • mobile technology in field- iPAq (or equivalent), portable printer and accessories • electronic inspection forms created and printed in field • electronic and hard-copy files generated and stored	• new database software to replace CISS • new standardized inspection forms • scanner in office to scan inspection forms from field • manual inspection forms in field • inspection forms and daily log information scanned into scanner by data clerk • electronic and hard-copy files generated and stored	• new database software to replace CISS • new standardized inspection forms • manual inspection forms in field • manual daily logs of inspectors' inspection activities • data entry in office by data clerk of daily log of inspectors' inspections • paper files only of inspection forms (no electronic back-up)
4. Public Information Accessibility – P.I.A.*	Status quo plus: • red and green signs at licensed food premises (electronically generated with details of results) • newspaper (convictions & orders) • inspection reports, convictions and written HPPA* Orders* on user-friendly website or from Department by request • dedicated Food Premises "Hotline" with promotion	Status quo plus: • red and green signs at licensed food premises (completed by hand with fewer details) • newspaper (convictions & orders) • HPPA Orders and convictions on website • regular reception phone line; minimal promotion	Status quo plus: • red and green signs at licensed food premises (completed by hand with fewer details) • no newspaper • HPPA Orders and convictions on website • regular reception phone line; minimal promotion
5. Quality Assurance and Evaluation	• dedicated Quality Assurance FTE for QA* of all P.I.A. sources. • process and full outcome evaluation	• dedicated Quality Assurance manager and data clerk for QA* of all P.I.A. sources. • process & small outcome evaluation	• limited quality assurance of P.I. A. sources • process evaluation only (no outcome evaluation)
6. Public Awareness* and Education	Status quo plus: • full public awareness campaigns of mandatory inspection process and new P.I.A. system	Status quo plus: • full public awareness campaigns of mandatory inspection process and new P.I.A. system	Status quo plus: • minimal public awareness campaigns of mandatory inspection process new P.I.A. system

Table 2. Food Premises Food Safety Program Options: Benefits, Risks, Timelines and Costs

	Option 1 – Recommended	Option 2	Option 3
Benefits	• new data system improves accuracy and reliability of inspection information • inspection forms standardized as desired by public and operators • signs and inspection forms printed in field • creation of electronic inspection files • professional quality signs and forms • e-files can be uploaded/downloaded & provide improve storage security • ability to post inspection report and sign information on Website from e-files resulting in increased accessibility to inspection information • food premises history accessible in field • program efficiencies: elimination of separate daily inspectors' inspection logs and data clerk time for data entry • provides several sources for P.I.A. • more channels and broader messages to public and consumers results in greater program awareness • flexibility to modify system according to future information accessibility enhancements • has full Q.A. support of P.I.A. sources to ensure accuracy and integrity • evaluation mechanism in place to identify future efficiencies and program effectiveness • meets 2000 Activity Based Costing Food Safety Program review recommendations for effectiveness • meets objective to increase accessibility of information on licensed premises inspections to the public • meets objective to increase public awareness of food premises food safety inspection process • signs are based on legislative framework rather than subjective assessment • provides a foundation for expansion of mobile technology into other programs	• new data system improves accuracy and reliability of inspection information • inspection forms standardized as desired by public and operators • scanning reduces data clerk entry time of daily log information (captured on scannable inspection forms) • electronic files provide improve storage security • moderate evaluation component provides some indication for future efficiencies • more channels and broader messages to public and consumers results in greater program awareness • program efficiencies: elimination of separate daily inspectors' inspection logs • meets objective to increase public awareness of food premises food safety inspection process • signs are based on legislative framework rather than subjective assessment • partially meets objective to increase accessibility of information on licensed premises inspections to the public • partially meets objective to increase public awareness of food premises food safety inspection process	• new data system improves accuracy and reliability of inspection information • inspection forms standardized as desired by public and operators • less information to communicate to public and operators • smallest cost requirements • slightly shorter implementation time • meets objective to increase public awareness of food premises food safety inspection process • signs are based on legislative framework rather than subjective assessment

	Option 1 – Recommended	Option 2	Option 3
Risks	• inspector IT learning curve • posting of signs mandatory only in city licensed food premises • larger cost requirements as compared to Option 3 (however, greater opportunity for future efficiencies)	• less information available to the public and greater time lag to posting information on website • food premises history not accessible in field • more quality assurance and clerical time required to review and manage scanned information • posting of signs mandatory only in city licensed food premises • larger cost requirements as compared to Option 3	• Food premises history not accessible in field • 10% data entry margin of error expected for daily log entries • lacks flexibility to modify or upgrade • duplication to fill out daily logs and inspection forms • paper files only – increased risk of lost documents • increased risk of liability without quality assurance component • limited awareness and education – consumers may not see or be aware of new program • fewer opportunities for public to learn about food safety practices and risks • no capacity to identify future efficiencies • posting of signs mandatory only in city licensed food premises • does not fully meet objectives for public's access of information
General Timelines	Year One • Public Awareness campaign delivered within 9 months • New signs posted by 9 months • K.M. & I.T. by 12 months	Year One • Public Awareness campaign delivered within 9 months • New signs posted by 9 months • K.M. & I.T. by 11 months	Year One • Public Awareness campaign delivered within 8 months • New signs posted by 8 months • K.M. & I.T. by 8 months
One time costs	Project Manager $ 80,000 K.M. & IT $150,000 P.I.A $ 50,000 Public Awareness $ 80,000 **TOTAL**= $360,000	Project Manager $ 80,000 K.M. & IT $ 90,000 P.I.A $ 35,000 Public Awareness $ 80,000 Evaluation $ 50,000 **TOTAL** = $335,000	K.M. & IT $ 75,000 P.I.A $10,000 Public Awareness $ 35,000 Evaluation $ 25,000 **TOTAL** = $145,000
Annual Costs	K.M. & IT $ 50,000 P.I.A $15,000 Q.A.– 1.0 FTE $ 90,000 required to support P.I.A. component Evaluation $40,000 TOTAL = $195,000	K.M. & IT $10,000 P.I.A $15,000 Q.A. 2 FTEs - $135, 000 required to support P.I.A. component Evaluation $15,000 TOTAL = $175,000	K.M. & IT $ 5,000 P.I.A $15,000 Evaluation $10,000 TOTAL = $30,000

Appendix #3. Disclosure Models

MODEL	FEATURES	BENEFITS	RISKS
1. **HAMILTON'S INTERIM SYSTEM**	▪ applies only to City licensed food premises ▪ one sign system- Green certificate for meeting conditions for safe food handling ▪ indicates last date of inspection ▪ replaced on next inspection if warranted ▪ information on HPPA Orders and convictions provided to public through Department Website, Hamilton Spectator	▪ one sign system ▪ sign states last date of inspection ▪ contact information is provided ▪ one colour ▪ posted at one location (entrance) ▪ public can call to get a copy of most recent inspection report ▪ inspectors use educational background, experience and set criteria when determining to post a sign ▪ appears to encourage compliance	▪ no sign in premises when premise has not met conditions to merit a certifcate ▪ premises that are not licensed by the City of Hamilton are not part of Disclosure ▪ sign does not show frequency of inspections, history or legal action information ▪ criteria used by Public Health Inspectors can be subjective ▪ wording on sign produces some difficulties in applying criteria to merit or pull a certificate ▪ limited inspection information available on the web-site
2. **HALTON MODEL**	▪ permanent sign that states premises is inspected by the Health Department ▪ summary inspection report available to the public on request ▪ summary report indicates if there were any convictions or Orders within past 12 months	▪ one sign ▪ sign indicates where public can call for more information on Food Safety Program ▪ summary Inspection report provides information on date of last inspection and conditions	▪ public may not ask for a copy of Summary Inspection report ▪ disclosure program is voluntary ▪ sign posted offers little information
3. **TORONTO MODEL**	▪ Green, Yellow, Red signs (Pass, Conditional Pass, Closed) ▪ a CONDITIONAL PASS (Yellow) is to be re-inspected within 24-48 hours ▪ sign includes a note of any previous convictions ▪ public can view the last inspection report at premises or get a copy from the Department ▪ charges, convictions, Orders and summary report appear on the Website	▪ increased consistency between Inspectors based on standardized inspection report ▪ decision tree helps with consistency ▪ inspectors piloting technology in the field ▪ answers public request for more information on inspection and history (box on convictions on sign) ▪ appears to encourage compliance	▪ grading system (red, green, yellow) is based on arbitrary grades set by City of Toronto ▪ legal ramifications unclear ▪ yellow is controversial ▪ complicated inspection form and need to refer to a manual to complete ▪ 24-48 hour re-inspection policy ▪ too many signs to transport ▪ recording past history manually on sign is time consuming

ODEL	FEATURES	BENEFITS	RISKS
4. **LOS ANGELES OR SINGAPORE MODELS (combined letter grading systems)**	▪ ABCD grading system ▪ graded annually ▪ grade remains for a year, or, operator pays for an operator initiated re-inspection (this is available only 3 months post-initial inspection) ▪ public can view last inspection report or get a copy from the Department ▪ charges, convictions and orders appear on the Website	▪ operators will strive for compliance to obtain a better grade	▪ public can interpret grades in different ways (i.e., grading systems are subjective) ▪ grade is based on one inspection and stands for a period of time ▪ cost for re-inspection to change grade ▪ inspectors may be under pressure to provide a better grade on initial inspection ▪ inspection report if accessed open to interpretation ▪ can create conflict between Inspector and Operator ▪ ombudsman required in L.A. to address complaints from food establishments ▪ since infractions are deducted from a 100 point scale, a large operation with several preparation areas has an increased risk of receiving a lower grade due to the fact that there is a larger working area and therefore more opportunity to lose points
5. **MODEL CREATED FOR CONSIDERATION IN CONSULTATIONS**	▪ inspection report would be posted at the premises- no special sign ▪ it would include a note of any previous convictions ▪ requested re-inspections would be available for a fee ▪ convictions and Orders would appear on the Website	▪ provides inspection report at the premises ▪ possibly encourages compliance ▪ some information available to public from other sources, i.e. website	▪ Inspection report open to misinterpretation ▪ Reinspection fee could lead to difficulties between operators and inspectors
6. **VANCOUVER MODEL**	▪ no posting of signs at food premises- no grading/rating ▪ inspection reports are available on the web-site ▪ use technology in the field (presently using laptops) ▪ web-site shows history component of inspections	▪ public can access information from inspection report on the web-site ▪ appears to encourage compliance ▪ use of technology in the field for inspection form accuracy, legibility, portability of data	▪ inspection report open to interpretation ▪ information not readily available on site at a food premises ▪ information not readily available if public does not have access to the web-site

MODEL	FEATURES	BENEFITS	RISKS
7. BRANTFORD MODEL	▪ 1 sign-no grading ▪ 1 colour ▪ states inspection date ▪ all food establishments receive a sign unless closed ▪ shows history component ▪ applies only to food service premises ▪ Sign indicates whether a conviction or Order has been recorded against it in last 12 months	▪ One sign ▪ appears to encourage compliance ▪ positive statements with explanation on signs re: inspection findings ▪ sign states inspection date ▪ contact information on sign ▪ provides information on convictions and Orders in the past 12 months	▪ Name and address of establishment are not on the sign ▪ Does not show frequency of inspections ▪ Does not reflect any infractions at time of inspection ▪ History component on sign but number of food premises involved in the program is limited so adding information to signs is manageable

Appendix #4 . Summary of Literature Review

1. Literature Search

A review of the literature was conducted to assist with the development of a food premises food inspection grading and disclosure program for the City of Hamilton.

Two literature reviews, two evaluations and three survey studies on public posting or rating programs were identified. The primary research studies (both the evaluations and surveys) were specific to the A, B, C grading system utilized in Los Angeles County, California. Findings specific to other rating models (such as a colour system) were not found in the literature. Numerous articles providing commentary and opinion on the disclosure and posting of food inspection results were found. This anecdotal information is not included in this review.

An international survey of public posting systems and one systematic overview of the effectiveness of general public health interventions in food safety were also identified.

2. Summary of Literature

a) Survey of Public Posting Systems

In 2000 Boehnke[1] conducted a survey of food inspection report practices among 90 health jurisdictions throughout the world. The purpose of the survey was to gather information on programs aimed at disclosing and posting the results of food premises food safety inspections. At the time of the survey only the Republic of Singapore and the United States had disclosure or grading systems in place. Toronto and Peel were both planning disclosure systems. The survey found that:

- Letter grading systems were in flux across the United States due to a renewed focus on a risk assessment / management system of food handling as per Food and Drug Administration recommendations.
- Disclosure and grading systems varied greatly across jurisdictions; from punitive to incentive models.
- Increasing use of the internet and websites geared towards disclosing inspection results.
- Public health outcomes (such as, reduced incidence of food borne illness) were generally not attributed to disclosure or grading systems.
- No evaluation findings were available nor were evaluations planned.

b) Literature Reviews

Two literature reviews were identified. Neither article described a search methodology or a quality assessment protocol. Given the lack of information on whether and how the authors critically appraised the literature the following summary should be interpreted with caution.

(i) Graham[2] completed a literature review on communicating risk effectively to promote food safety awareness and protect the public's health. Only four relevant research articles were identified. Only two of these articles (Wiant, 1999 and Fielding et al., 1999) are summarized here.[3]

A 1999 article by Wiant[4] explored the issue of communicating food safety information. The author reported that:

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[1] Boehnke, R.H. International Survey on Public Posting of Restaurant Inspection Reports, and/or Grade Card Posting Schemes based upon Health Inspections. Report prepared by RHB Consulting and Associates 2000.

[2] Graham, C. A Literature Review Respecting Communicating Risk Effectively to Promote Food Safety Awareness and Protect the Public's Health. Report for the Region of Ottawa-Carleton Health Department, 2000.

[3] The statistical analysis described in one article was of very poor quality and is therefore not included in this review. A second article, unpublished at the time of the Graham review, has since been published and is summarized in this literature review under the 'Surveys' section.

[4] Wiant, C.J. Scores, grades and communicating about food safety. Journal of Environmental Health 1999;61(9): 37-38.

- Inspection scores are interpreted as an indicator of quality for a particular establishment. This could be problematic since the score is only reflective of the point in time during which the inspection took place and may not indicate the overall risk for acquiring a food borne illness.
- No one indicator (or piece of information) can convey all of the relevant criteria.
- Health authorities agree, in principle that the public has a right to know about the status of food safety at food premises. However there is little consensus on how to operationalize a disclosure strategy.
- Consultation with key stakeholders is seen as a critical stage to the development of disclosure or grading systems.

A 1999 article by Fielding et al.[5] described the findings from an evaluation of the Los Angeles County grading system following its first year (1997-1998). The authors report:

- The number of violations decreased over the study time period. This decline could be due to the new grading system and the resulting incentive for premises to avoid loss of business due to a poor grade. However, the authors concede that the decrease in the number of violations could also be due to the increasing pressure placed on inspectors to post a business-favourable grade.
- The study did not assess the impact of the system on the incidence of food borne illness.
- The effectiveness of the system remains unknown.
- The authors recommended that a food handler training component be added to the overall food safety program in order to impact the incidence of food borne illness.

(ii) Seiver and Hatfield[6] reviewed the issue of grading systems and related literature. Their primary conclusions were:

- Grades are interpreted differently by different people. Members of the public form different interpretations depending upon their culture, training, perceived purpose of the grading system, etc.
- A system based on one grade or colour is likely not effective. A single indicator cannot accurately communicate the food safety status of a food establishment. Assessments should be based on a range of measures representative of the range of public interests.
- Public education and awareness are key components to any disclosure program. It is important to ensure that the public is educated on what the risks are and how to interpret the grading information.

c) Surveys

Several surveys[7,8,9] were conducted on how university students and food safety professionals interpret the grades used by the Los Angeles County system. A summary of the survey findings follows.

- Interpretation of grades varied considerably within both the student and food safety professional survey groups.
- Students were shown to have a very limited understanding of posted inspection results. For example, interpretation of a C grade varied from average inspection results to complete noncompliance. Overall, students' willingness to dine at an establishment with a C grade was low.

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[5] Fielding, J., Aguirre, A., Spear, M., Frias, L. Making the grade: changing the incentives in retail food establishments inspection. American Journal of Preventive Medicine 1999;17(3):243-247.

[6] Seiver, O., Hatfield, T. Grading systems for retail food facilities: a risk-based analysis. Environmental Health October 2000:22-27.

[7] Dundes, L., Rajapaka, S. Scores and grades: a sampling of how college students and food safety professionals interpret restaurant inspection results. Journal of Environmental Health 2001;64(5):14-19.

[8] Hatfield, T., Seiver, O. Preference reversals in grading systems for retail food facilities. Environmental Health April 2001:19-25.

[9] Seiver, O., Hatfield, T. Grading systems for retail food facilities: a risk-based analysis. Environmental Health October 2000:22-27.

- There was consistency across students and professionals regarding preference of A over B and B over C. However, this preference is reversed for students if an establishment has recently been closed. For example, students reported being more likely to dine at an establishment with a B grade over an establishment with an A grade A if the grade A establishment has a recent history of closure. The food safety professionals did not demonstrate this preference reversal.
- Both university students and food safety professionals felt that a restaurant should either be opened or closed and that the public should not have to decipher the meaning of a sign. They also felt that, if something is posted, it should contain the history of infractions for the premise.

The authors made several recommendations.

- Disclosure programs should emphasize that C is still a passing grade and that the restaurant is still safe from a public health risk point of view.
- A single grade does not deliver a consistent message. Additional information such as the inspection history of an establishment should be considered.
- Members of the public should be encouraged to contact their local health department to discuss premises of interest or concern.

d) Evaluations

A 2001 study by Fielding and associates[10] examined the year two results of the Los Angeles grading system. A summary of findings follows.

- Inspection scores were found to have increased while the number of closures decreased from the previous year. This was true for all types of establishments (low to high risk). This may be due to the fact that achieving a high grade is important enough to food premises that they comply more strictly with food safety practices.
- An increase in the number of closures of premises with poor inspection histories was found.
- Incentive to attain a high score is demonstrated by the frequent use of the owner initiated inspection option and the improvement and maintenance of scores following these owner initiated follow-up inspections.
- Authors posit that a critical element of success is the limited opportunity for operators to receive rapid reinspections that could improve their scores.
- An evaluation of inspection scores for cities with and without posting/disclosure systems is planned.

A 2001 study by Jin and Leslie[11] assessed the impact of increased product information to consumers on food establishment behaviour. This study compared three different disclosure systems in three different cities within Los Angeles County's Department of Health catchment area. Comparisons were made between systems with mandatory disclosure versus voluntary disclosure with a standard format versus voluntary disclosure without a standard format. Jin and Leslie report that:

- The introduction of a mandatory restaurant inspection grading card caused restaurants to improve their inspection score.
- The posting of the grade cards did impact establishment revenue. This led the authors to believe that economic incentives (such as increased revenue) are a motivating factor for improvements to food safety practices.
- Voluntary disclosure of a standard-format grade card was found to increase the inspection scores and in turn revenue to a similar extent as a mandatory disclosure program.
- Voluntary disclosure with no standard-format, however, was found to have no impact on inspection score or establishment revenue. This emphasizes the importance of having a standard-format used across the jurisdiction regardless of whether the program is mandatory or voluntary.

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[10] Fielding, J., Aguirre, A., Palaiologos, E. Effectiveness of altered incentives in a food safety inspection program. Preventive Medicine 2001;32:239-244.

[11] Jin, G. Leslie, P. The effects of disclosure regulations: evidence from restaurants. October 2001.

e) Effectiveness of Public Health Interventions in Food Safety
Campbell and colleagues in 1998[12] completed a systematic overview on the effectiveness of public health interventions regarding food safety at a range of food premises. Findings from the overview include:

- At least one routine inspection per year was found to improve inspection scores and thus is likely to reduce the risk of food borne illness.
- It is not possible to make recommendations regarding the optimal inspection frequency for premises in different risk levels. This is primarily due to the questionable generalizability of results from studies conducted outside of Ontario given that inspection protocols differ across jurisdictions.
- Evidence supports the use of risk assessment to categorize premises into different risk levels. There is some support for re-assessing risk on an annual basis.
- Evidence supports the delivery of food handler training and certification programs. These programs were found to improve the knowledge and practices of food handlers. Active education programs are recommended. There is some evidence to suggest that both food handers and managers should complete training.
- Community-based food safety interventions (for example, education programs targeted towards food preparation in the home or at community events) are still a very important component of a food safety program although most strategies have not been formally evaluated.

3. Closing

- There are an increasing number of food safety inspection posting and grading systems being developed and implemented. The Los Angeles County model (A, B, C grading) is the most documented program in the literature.
- There are early evaluation findings from the Los Angeles system. Authors report that inspection scores increased following the implementation of the grading system. It has, however, been difficult to establish whether this increase is due to the economic incentive placed on food establishments to improve their food safety practices in order to avoid low grades versus the potential pressure on public health professionals to provide establishment-friendly grades.
- Surveys have found that it is difficult to convey inspection results to the public using one single indicator (i.e., a grade). Interpretation of a single indicator was found to vary amongst consumers. It is recommended that a range of indicators of food safety status / quality be provided on publicly accessible inspection certificates or summary reports.
- The lack of effectiveness or best practices information in the literature emphasizes the importance of ensuring that new programs are appropriately evaluated and findings shared with the program development and evaluation community.
- There is evidence to support the provision of multiple public health interventions (inspections, training and community-wide education) aimed at ensuring food safety.
- Consultation with a range of stakeholders (public, operators, health professionals) is highly recommended during program development.

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[12] Campbell, M., Gardner, C., Dwyer, J., Isaacs, S., Krueger, P., Ying, J. Effectiveness of public health interventions in food safety: a systematic review. Canadian Journal of Public Health 1998;89(3):197-202.

Appendix #5. Summary of Consultations

1. Introduction

One of the guiding principles for the development of the comprehensive permanent food premises food safety inspection program was to ensure that input from the key stakeholders (consumers / members of the public, food premises operators and Public Health Inspectors (PHI's)) was taken into consideration. To this end a series of consultations were conducted from April to July 2002 with each of the three main stakeholder groups. The primary purpose of the consultations was to solicit feedback on five different models of disclosing food inspection results. The five models were the interim City of Hamilton model, the Halton Model, the Los Angeles & Singapore Grading System, the City of Toronto Color System and the Inspection Report model. (A summary of each of these models appears in Appendix 3.)

2. Methods

Consumers / Members of the Public

A total of 28 consumers provided feedback on five existing disclosure models as well as their opinions regarding mandatory food handling training. Input was collected via focus group discussion as well as self-administered survey.

Food Premises Operators

A forum was held on April 26, 2002 to gather feedback and questions from local food premises operators. Operators were asked to provide feedback on the five different models as well as their opinions about mandatory food handler training. A total of six individuals participated in the forum (one operator, one member of the public and four food association or business representatives).

Given the low turnout at the April forum individual one-on-one interviews were scheduled with a randomly selected sample of operators. From June to July 2002, 15 food establishment operator interviews were conducted.

Public Health Inspectors

In May 2002, three focus groups were held to solicit input from Social and Public Health Services Department (SPHSD) PHIs. These focus groups were very well attended (79% of PHIs). Feedback was obtained from each group on the five existing models, as well as opinions regarding mandatory food handler training. A separate focus group was conducted with PHIs in August 2002 to solicit feedback on knowledge management and information technology needs.

SHPHD staff were involved in facilitating and recording data for the above consultations. Notes were reviewed and main themes extracted. The analysis involved quality checks by several staff.

3. Summary of Consultation Findings

There were three common themes expressed during the consultation. They are as follows:

- The Inspection process and categorizing the results
- Communicating inspection results
- Food safety training, certification and education

a) Inspection Process and Categorizing the Results

- Both operators and PHIs verbalize that the inspection criteria are too subjective and a more standardized inspection process is needed. The use of a checklist and providing flexibility was suggested to resolve this issue.
- Operators are concerned about the impact of posting minor violations. They are concerned that many consumers do not understand the meaning of the violations and may misinterpret the signs, causing a negative impact on their establishment.

- Operators are also concerned that additional municipal regulations on their private business will have a negative impact on their ability to work.
- PHIs are concerned that with the introduction of a new model would increase their workload.

b) Communicating Inspection Results

- Most stakeholders agreed that the inspection sign could create a false sense of security to the public because it does not reflect a true representation of the restaurant. It only reflects the day that the PHI inspected the restaurant.
- Both PHIs and consumers suggested additional information should be made available on the sign (as compared to the current interim sign). Consumers suggested more information on the frequency of inspections in one year and public health contact information while PHIs suggested the signature of the MOH appear on the sign.
- All three stakeholder groups requested that the certificate needs to be easy to understand and interpret by the public. Emphasis was also placed on providing education regarding the new posting system to the general public, operators, the media, etc.
- PHIs were concerned that a bias may be created because only licensed establishments will post a certificate/sign. Therefore the public may misinterpret unlicensed food premises without a sign as being unsafe.
- Additional PHI feedback on the signs included that they can be easily removed, duplicated, damaged, stolen and the quality of the certificate is unprofessional.
- Consumers and Operators are uncomfortable with having the full inspection report available by request in the restaurant – but for different reasons. Consumers would feel uncomfortable if they had to specifically request the inspection report from premises staff in order to read it. Operators feel uncomfortable having the inspection report readily available in the restaurants for all consumers to see. Both groups feel that the report should be made available via website, or by contacting the Public Health department.

All stakeholder groups provided feedback regarding a coloured sign system. For example:

- PHIs and consumers stated that the colour system is easy for the public to understand, particularly for non-English speaking and illiterate people. However some consumers from a multi-cultural background state that colours are not internationally understood across all cultural groups.
- Consumers felt that the cultural sensitivity needs to be incorporated into the disclosure system.
- All stakeholders agreed with posting a green sign. However both the operators and PHIs state that posting a yellow sign has the potential to cause irrevocable damage to a restaurant's reputation.
- Operators and PHIs state that the red sign is less confrontational.

c) Food Safety Training, Certification and Education

- All of the stakeholders support mandatory food handler training and certification. They also agree that the training program needs to be offered in multiple languages and appropriate for a range of cultures.

Conflicts arose in two areas, certificate responsibility and the training program.

- Operators at the focus group expressed that certification should be mandatory for all food handlers. The operator interviews, however, revealed a desire for different requirements between high, medium and low-risk food establishments.
- Consumers and PHIs provided a variety of options dependent on the size of the establishment where one on-duty staff member would need to hold a certificate.
- Consumers expressed their concern that certification may not make any difference.
- Operators suggested that the responsibility for the certification should rest with the employee.

While all groups agree that food handler certification should be mandatory for all food premises, the suggested methods of training and certification differed across the stakeholder groups. Support for enforcing mandatory certification was varied.

4. Limitations of Consultation

One limitation of the consultation is the poor turnout for the consumer focus groups. This translated into small groups. Additional focus group sessions were offered but public participation remained low. Another limitation is the characteristics of the consumers who participated in the focus group. Participants had a higher level of education and were of an older as compared to the overall Hamilton population. Findings from the consumer focus groups, therefore, should be interpreted with caution, as they are reflective of a small sub-set of the overall Hamilton population. This is a common limitation of focus group consultations.

Finally, all stakeholder groups were asked to comment on specific disclosure models. Key informant responses tended to focus on specific features of each model and not the model overall. Future consultations should consider asking questions on elements of disclosure models in general as opposed to gearing the questions to entire programs or models.

5. The Rapid Risk Factor Surveillance System

The Rapid Risk Factor Surveillance System (RRFSS) is an on-going monthly population health and social determinants survey currently being conducted in Hamilton. Between February and March 2002, the RRFSS surveyed 215 Hamilton residents aged 18 years and older regarding their perceptions of food safety including the posting of results of restaurant inspections. Perceptions of Food Safety results are as follows:

- 62% stated they felt Hamilton restaurants are safe to eat, where as 15% volunteered a qualified yes (e.g. I guess so, I suppose so...)
- 6% stated they do not feel Hamilton restaurants are safe to eat
- 7% stated they never go to restaurants and
- 10% stated restaurant food safety is depended on the restaurant

Ninety-two percent (92%) of respondents answered yes when asked if the results of restaurant inspections should be posted for diners to see before entering a restaurant.

Appendix #6 Glossary of Terms

CISS (Computerized Inspection Services System)
CISS refers to the software currently used by many Ontario health units to manage food safety and other inspection program data.

COMPLIANCE
Compliance refers to the state of meeting the requirements of a statute. A food premises having no violations of Ontario Regulation 562 (Food Premises) is said to be in compliance.

CONVICTION
A conviction refers to the finding of a defendant guilty of the offence to which he/she has been charged. A food premises operator charged with a violation of Ontario Regulation 562 (Food Premises) is not deemed convicted until a guilty finding is recorded.

CRITICAL ITEM
A critical item, or a critical infraction, is a violation of Ontario Regulation 562 (Food Premises) that poses a direct and significant risk of food borne illness. Such items include insufficient cooking of hazardous food items, holding hazardous food items at inadequate refrigeration temperatures, and allowing contact of ready-to-eat food with raw food.

FOOD HANDLER CERTIFICATION
Food handler certification refers to the process of verifying that food handlers understand the principles of safe food handling, storage and preparation. In Hamilton, candidates demonstrating this knowledge in a written exam are awarded a Food Safety Certificate by the Social and Public Health Services Department. All Ontario health units provide food handler certification programs but currently food handlers are not mandated to be certified.

HEALTH HAZARD
A health hazard, as defined by the HPPA, is a condition of a premises, a substance, thing, plant or animal other than man, or a solid, liquid, gas or combination of any of them that has or that is likely to have an adverse effect on the health of any person. The HPPA provides for the issuance of Orders to eliminate health hazards.

HEALTH PROTECTION AND PROMOTION ACT (HPPA)
The HPPA is the provincial statute that provides for the development and delivery of public health programs and services, and the enactment of regulation. Sections of the HPPA also provide for the issuance of Orders (including closure) against food premises operators where a condition deemed a "health hazard" (see below) is found to exist.

INFRACTION (same meaning as violation- see below)
An infraction is a condition in a food premises that contravenes the requirements of Ontario Regulation 562 (Food Premises).

KNOWLEDGE MANAGEMENT
Knowledge management refers to concepts and processes designed to refine and make use of information. The term generally applies to information generated and received through IT systems (see above).

MANDATORY HEALTH PROGRAMS AND SERVICES GUIDELINES (MHPSGs)
The MHPSGs are a set of standards developed under authority of the HPPA that health units are required to follow in the development and delivery of programs and services. These standards prescribe, for example, the frequency with which food premises must be inspected by health unit personnel.

NON-CRITICAL ITEM
A non-critical item, or non-critical infraction is a violation of Ontario Regulation 562 (Food Premises) that does not pose a direct and significant risk of food borne illness. Such items are however contrary to good operating practices and, if left unresolved for long periods of time, can contribute to risk. Non-critical items include soiled floors, inadequate lighting to carry out thorough housekeeping tasks, and poorly fitting doors allowing access to pests

ONTARIO REGULATION 562 (FOOD PREMISES)
This Regulation, enacted under the authority of the HPPA, sets out safe food handling, preparation and storage requirements for the operation of food premises. Operators of premises in violation of this Regulation can be charged under the Provincial Offences Act (see below) and/or issued Orders under the HPPA.

ORDER
An Order refers to an Order issued under the HPPA requiring that specific action be taken to eliminate a health hazard (see below). A food premises operator could, for example, be ordered to adhere to specific food handling procedures, discard contaminated food items, or close the premises.

PIA (Public Information Accessibility)
PIA refers to concepts and systems related to making information readily accessible to the public. A new term to define ‘disclosure’.

PUBLIC AWARENESS
The term public awareness is applied to strategies designed to provide the public with information that will enhance their knowledge and understanding of an issue or event. Public awareness for food safety would involve sharing information about the health inspection process and the new routes to access food premises information

REQUIREMENT
A requirement refers to any action on the part of a food premises operator necessary to achieve compliance with Ontario Regulation 562 (Food Premises).

TICKET
A “ticket” refers to a Provincial Offence Notice issued under the Provincial Offences Act for violation of a food safety requirement. The Provincial Offences Act prescribes set fines for specific violations, however food premises operators charged under the Act can also be summonsed to court where they face increased fines.

VIOLATION (same meaning as infraction –see above)
A violation is a condition in a food premises that contravenes the requirements of Ontario Regulation 562 (Food Premises).

6.1

PROJECT UPDATE

**Transportation, Operations
Environment Department**
Water and Wastewater Division

JOINT RESEARCH ON ALGAE GROWTH IN LAKE ONTARIO

To:	Mayor Wade and Members of Council		
From:	Lou Di Gironimo Director	**Telephone:** **Facsimile:** **E-mail:**	(905) 546-4254 (905) 546-4491 ldigiron@city.hamilton.on.ca
Date:	5 September 2002	**File No.:**	2.1.2
Re:	**Support for Joint Research on Algae Growth in Lake Ontario** ***Respecting Outstanding Business Item (Z)***		

At its meeting of 12 June 2002, Council received Communications item 5.6 (26 April 2002 letter to Mayor Robert Wade from Regional Chair Emil Kolb, Regional Municipality of Peel respecting a joint research project on algae growth in Lake Ontario).

The City of Hamilton is a member utility of the Ontario Water Work Research Consortium (OWWRC). The OWWRC was formed in 1999 to determine the cause of serious taste and odour events occurring in the western basin of Lake Ontario. Other member utilities include the: City of Toronto, Region of Durham, Region of Peel, Region of Halton, Region of Niagara, and Ontario Clean Water Agency.

The Consortium sent a request to its utility members to fund a study into the cause of *Cladophora*. That request was followed by the above-mentioned letter from Emil Kolb requesting Hamilton's support for participatory funding.

The City of Hamilton has been experiencing problems with the growth of algae in Hamilton Harbour and additional research examining algae growth in Lake Ontario, the City's source of drinking water, would be of benefit in understanding the dynamic ecology of the Lake.

The Water and Wastewater Division will therefore support the joint algae research project and provide funding in the amount of $100,000 over a three-year period. For each of 2002 and 2003, the City will contribute a maximum of $35,000 with a further $30,000 in 2004 if the research work extends a full three years. Depending on the level of support provided by the other five major municipal water utilities, this amount may be reduced to less than $20,000 per year.

Cont'd. . . .

Support for Joint Research on Algae Growth in Lake Ontario

Cont'd. . . .

The City will receive the full benefit of an intensive sampling and testing program for a fraction of the total cost to complete the entire project. Similar benefits and economies were derived from previously supporting the joint-research project that investigated the cause of taste and odour events experienced by all municipalities in the western basin of Lake Ontario during 1998 and 1999.

The research project will complete a literature review, collect and analyze sample data, look at solutions and trends, develop plain language fact sheets, host a number of workshops, and provide information to participating members via the Internet.

Lou Di Gironimo, Director
Water and Wastewater Division
Transportation, Operations, and Environment Department

LDG:em
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Distribution:.

Councillor Marvin Caplan
Councillor Sam Merulla
Councillor Bill Kelly
Councillor Larry Di Ianni
Councillor Russ Powers
Councillor Andrea Horwath
Councillor Chad Collins
Councillor Frank D'Amico
Councillor Dave Mitchell
Councillor Dave Braden
Councillor Bernie Morelli
Councillor Tom Jackson
Councillor Anne Bain
Councillor Murray Ferguson
Councillor Margaret McCarthy

Copy to:

Robert Robertson, City Manager
Kevin Christenson, City Clerk
Peter Crockett, General Manager, Transportation, Operations, and Environment
Joseph Rinaldo, General Manager, Finance and Corporate Services
Joe-Anne Priel, General Manager, Social and Public Health Services
Dan Chauvin, Acting Manager, Water Quality Section, Water and Wastewater Division
John Gosgnach, Manager, Communications, Corporate Secretariat
Ida Bedioui, Legislative Assistant

Office of the Chair

✓Mayor
✓CAO
✓Cncl Corresp.

April 26, 2002

City of Hamilton
City Hall, 1st Floor
71 Main Street West
Hamilton, ON
L8P 4Y5

Attention: **Mayor Bob Wade**

Re: **Algae in Lake Ontario**

The Region of Peel is experiencing a significant problem with algae on our shores of Lake Ontario. I am sure that you, too, are facing this issue. *Cladophora*, the dominant attached alga in Lake Ontario, has fouled beaches, created odours that have affected residents and owners of lakeshore properties.

Scientists at the National Water Research Institute – Environment Canada (NWRI) and the Ministry of the Environment are currently working with the major utilities on the Western Basin of Lake Ontario on the causes and control of taste and odour in drinking water. As part of this study, these scientists have also done work on algae. They are willing to provide their expertise and oversee more intensive work on the cause and control of excessive *Cladophora* growth. This new research would be co-ordinated by the Ontario Clean Water Agency from its offices in the Region of Peel. This project will ‘require research over at least two but preferably three years.

The first year of this project would see the following activities being carried out:

- planning and development
- collection of data
- literature review
- development of plain language fact sheets, hosting of workshops and provision of information on the Internet by OCWA

The second and third years of the project would see the following activities being carried out:

- analysis of first year's work
- addressing new questions arising out of initial research
- intensification of communication effort
- look at solutions and trends

Under the supervision of the scientists at the NWRI and the MOE, graduates would be funded for this work. Additional funding would be required for expenses, sample analysis,

The Regional Municipality of Peel 10 Peel Centre Dr., Brampton, ON L6T 4B9 Tel: (905) 791-7800 Fax (905) 791-2567
Web Site: www.region.peel.on.ca

communication costs and administration, A commitment of two or three year funding is essential to allow the retention of the postdoctoral fellow and graduate student. Preliminary budget breakdowns are listed for both the proposed two and three year programs below.

Two-Year Proaram

	2002	2003
Staffin (postdoctoral fellow and MSc)	$40,000	$50,000
Sample Analysis	$20,000	$20,000
Expenses	$15,000	$15,000
Equipment	$3,000	$2,000
Communications/Administration	$22,000	$23,000
Total	$100,000	$110,000

Three-Year Proaram

	2002	2003	2004
Staffing (postdoctoral fellow and MSc)	$40,000	$50,000	$50,000
Sample Analysis	$20,000	$20,000	$20,000
Expenses	$15,000	$15,000	$15,000
Equipment	$3,000	$2,000	0
Communications/Administration	$22,000	$23,000	$25,000
Total	$100,000	$110,000	$110,000

As seen in the tables above, the funding required for this project would by approximately $210,000 for the two-year project and $320,000 for the three-year project.

Region of Peel Council recently approved the contribution of $70,000 to this effort. As this issue also affects your municipality, we are hoping that you will support this project financially by committing to a portion of the balance of the project's financial needs. Please consider this request and join Peel in its commitment to improving the quality of Lake Ontario.

Yours truly,

Emil Kolb

Emil Kolb
Regional Chair

C. Roger Maloney, CAO, Region of Peel
Region of Peel Councillors
M.D. Zamojc, P.Eng., Commissioner, Public Works, Region of Peel
Mark Schiller, Director, Water and Wastewater Treatment, Region of Peel
Larry Moore, OCWA

EK/EP/sl

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Ontario

Dalton McGuinty, M.P.P. / député
Leader of the Official Opposition
Chef de l'opposition officielle

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August 20, 2002

AUG 2 6 2002

6.2

His Worship Mayor Bob Wade
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Wade:

Today, my colleagues and I released our policy on the Ontario Municipal Board (OMB). Liberal Municipal Affairs Critic David Caplan and I are pleased to share highlights with you and your local councillors.

As you are aware, the OMB has sparked much concern and controversy at both the provincial and municipal levels in recent years. It has lost credibility in the eyes of the Ontario public—all too often failing to live up to its responsibilities as a balanced, impartial tribunal reviewing development applications. OMB decisions have frequently overridden the democratically approved official plans of local governments.

My team and I have committed to a complete overhaul of the OMB to ensure accountability, democracy and optimal planning. The enclosed documentation will give you an overview of the initiatives we will take as the government. I invite you and your local council members to review the material and give us your feedback: please feel free to contact me or David Caplan with any comments you may have. We can be reached at dalton_mcguinty-mpp@ontla.ola.org or david_caplan-mpp@ontla.ola.org (phone: 416-325-3607).

In the Ontario Liberals' view, drastic OMB reform is long overdue. We want to give local residents the say they deserve in planning their communities and neighbourhoods. We look forward to working with our municipal leaders to make this happen.

Yours truly,

Dalton McGuinty

Dalton McGuinty, MPP
Leader of the Official Opposition
Leader of the Ontario Liberal Party

Encl.

cc: Mr. Kevin Christenson, Municipal Clerk

www.ontarioliberal.com

LIBERAL
News Release / Communiqué

For Immediate Release August 20, 2002

ONTARIO LIBERALS TO COMBAT URBAN SPRAWL BY OVERHAULING PLANNING PROCESS

Municipal councils to be given more decision-making power: McGuinty

Toronto – Ontario Liberals say they will combat urban sprawl by overhauling the planning process, giving municipal councils more decision-making power, and providing them with clear province-wide rules.

"Taking action against urban sprawl begins with overhauling the planning process and the Ontario Municipal Board," said Ontario Liberal Leader Dalton McGuinty.

The problem with the current system is too many decisions are being made by the Ontario Municipal Board (OMB), which is unaccountable, and has no clear rules to guide its decisions, said McGuinty.

"These changes are necessary to ensure that Ontario planning rules benefit Ontario's families, not just big developers," said McGuinty.

The Liberal plan to overhaul the OMB was announced today by MPP David Caplan, the Liberal Municipal Affairs Critic, in a speech to the Association of Municipalities of Ontario.

"Our plan will improve accountability, get better municipal planning, and respect local democracy," said Caplan.

The Liberal plan includes:

- Requiring that the OMB give greater weight to Municipal Official Plans in its decisions.
- Eliminating the role patronage has played in OMB appointments.
- Giving the OMB clear planning rules, so that decisions on issues like farmland preservation or the protection of affordable housing are consistent with the province's priorities.
- Giving municipalities more time to make decisions on development applications, which will allow for greater public input on potential developments.
- Taking decision-making power away from the OMB on minor issues, like the size of your neighbour's shed.

The Ontario Liberal plan to overhaul the planning process is a good first step in fighting sprawl and building liveable communities, and more announcements will follow, said McGuinty.

-30-

CONTACT:
David Caplan, MPP (Don Valley East)
416-325-3607

LIBERAL

ONTARIO LIBERAL PLAN TO OVERHAUL THE PLANNING PROCESS AND THE ONTARIO MUNICIPAL BOARD (OMB)

"By overhauling the OMB, we're making sure that Ontario planning rules benefit Ontario's families, not just big developers."– Dalton McGuinty

Giving greater weight to Municipal Official Plans:

- In planning decisions and OMB rulings, greater weight will be given to Municipal Official Plans, so that years of consultation and work on these plans is not routinely thrown out by OMB decisions.
- Municipal boundaries will be given strong protections, so developers cannot redraw municipal boundaries.
- *The Result:* Years of consultation and work on municipal plans will not be ignored by OMB decisions.

Eliminating patronage in OMB appointments:

- OMB appointments will no longer be made exclusively by the Premier and the Cabinet.
- Municipal leaders and stakeholders will be involved in the selection process.
- The length of board members' terms will be extended.
- *The Result:* The OMB will be impartial and the board members will have expertise.

Giving the OMB clear planning rules:

- OMB rulings will have to be consistent with provincial policy statements. Under current rules, the OMB need only "have regard to" provincial rules.
- *The Result:* OMB decisions will be consistent with the province's priorities on issues like farmland and wetland preservation, the availability of affordable housing, and the need for transportation infrastructure.

Giving municipalities more time to consider development applications:

- Timelines that currently allow developers to appeal directly to the OMB 90 days after filing their development application will be significantly extended. The present 90-day appeal process has made municipal council decisions on development applications impossible or irrelevant.
- *The Result:* Municipal councils will have more time for public input or study before a decision is made on a complex development application.

Ending OMB appeals on minor issues:

- The OMB will not hear appeals on minor issues, like the size of a shed or deck.
- These issues will be decided at the local level.
- *The Result:* The OMB will focus on significant planning disputes that impact the broad public interest, not on minor issues.

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OCT 15 2002

GOVERNMENT DOCUMENTS

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 02-035

Tuesday, October 15, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 October 8, 2002 (to be distributed)

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Mr. Ken Stone respecting additional city councillor positions for the 2003 municipal elections

3.2 Request to address the Hearings Sub-Committee by Mr. Steven S. Roberts respecting 750 Haldibrook Road, City of Hamilton

4. CONSENT ITEMS

4.1 Appointment of the Chief Building Official, Deputies and Inspectors (PD01011(a)) (City Wide)

4.2 Amend By-law No. 01-068 Appointment of Municipal Law Enforcement Officers (PD01071(b))(City Wide)

4.3 Request for Removal of the Holding (H) Provision - Lands Located at 369-377 Highway No. 8, in the Former City of Stoney Creek (PD02208) (Ward 10)

4.4 Request for Stop Control at the Intersection of Christopher Drive and Christie Street (TOE02187) (Ward 8)

4.5 Intersection Control - Maple Avenue and Park Row South (TOE02186) (Ward 4)

4.6 Heritage Permit Application (HP2002-025) under Part V of the Ontario Heritage Act - 833 Beach Boulevard within the Hamilton Beach Heritage Conservation District, City of Hamilton (PD02206)

4.7 Heritage Permit Application (HP2002-024) under Part V of the Ontario Heritage Act - 996 Beach Boulevard within the Hamilton Beach Heritage Conservation District, City of Hamilton (PD02027)

4.8 Heritage Permit Application (HP2002-022) under Part V of the Ontario Heritage Act - 7 Melville Street, Former Town of Dundas (PD02148) (Ward 13)

4.9 Revision to Heritage Permit Application (HP2002-009) under Part V of the Ontario Heritage Act - 991 Beach Boulevard within the Hamilton Beach Heritage Conservation District, City of Hamilton (PD02099(a)) (Ward 5)

4.10 Demolition Permit - 173 Rymal Road West (PD02170) (Ward 8)

4.11 Demolition Permit - 1428 Upper James Street (PD02172) (Ward 8)

4.12 Naming Policy for Public Parks and Recreation Facilities (CS02088) (City Wide)

4.13 Hamilton Port Authority Taxation (FCS02060) (City Wide)

4.14 Minor Variance from the Provisions and Regulations of Sign By-law No. 3042-89, as Amended, a By-law To regulate the size, use, location and maintenance of signs and advertising devices within the City of Stoney Creek (PD02202) (Ward 11)

4.15 Safe All Night Dance Events (SPH00039(a))(City Wide)

5. PRESENTATIONS

5.1 Social Development Strategy: Vision and Next Steps (SPH02001(a))

DISCUSSION ITEMS

6 CITY MANAGER

None

7. COMMUNITY SERVICES

7.1 Emergency Services Reciprocal Assistance Agreements (CS02085)

8. CORPORATE SECRETARIAT

None

9. ECONOMIC DEVELOPMENT

None

10. FINANCE AND CORPORATE SERVICES

None

11. HUMAN RESOURCES

11.1 Corporate Occupational Health and Safety Policy (HUR02013) (City Wide)

12. PLANNING AND DEVELOPMENT

12.1 Residential Rehabilitation Assistance Program (RRAP) - 2002/2003 Funding Allocation (PD02204) (City Wide)

13. SOCIAL AND PUBLIC HEALTH SERVICES

None

14. TRANSPORTATION, OPERATIONS AND ENVIRONMENT

14.1 Harmonization of Sewer Lateral Tree Root Policies (TOE02188) (City Wide)

14.2 Property Purchase Agreement Pursuant to the Provisions of Section 30 of the Expropriation Act - 280 Fifty Road, Filomena Raso (TOE02185) (Ward 11 with City Wide Implications)

15. JOINT DEPARTMENTAL REPORTS

15.1 Restructuring of Approved 2002 Transit Capital Funding (TOE02184/FCS02111) (City Wide)

16. REPORTS BY SUB-COMMITTEES

None

17. REPORTS BY VOLUNTEER CO-ORDINATING COMMITTEES

None

18. ITEMS REFERRED BY CITY COUNCIL

None

19. MOTIONS

None

20. NOTICES OF MOTIONS

None

21. GENERAL INFORMATION

22. PRIVATE AND CONFIDENTIAL

23. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Spreading of Biosolids	Nov 21/01	Transportation and Environment	TABLED pending Staff report	
E.	Urban Boundary	Dec 4/01	Planning & Development	Referral by HSC for staff to report back to COW	2002 – Q2
F.	Community Safety Zones	Dec5/01	Transportation and Environment	Referred back to staff for further consideration	2002 – Q2
G.	People's Panel	Dec5/01	TBD	Staff to report back on financial and staffing implications, selection process, terms of reference and implementation timeline	
H.	Aquafit Seniors/Disabled Fees	March 5/02	Community Services	Staff to prepare critical analysis	
I.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
J.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
K.	Strategy for priortizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
L.	Shortage of Area Doctors	March 6/02 Council	Social and Public Health	Staff to report back on shortages	
M.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003
N.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
O.	Marina Assets	May 7/02	Community Services	Staff to report back on the selling of Marina assets to Port Authority	
P.	Alternative Service Delivery for installation of roadway signs and posts	May 7/02	TOE	Staff to report back with results and recommendation on this matter	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Q.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
R.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	F&CS and HUC	Staff to bring report back	
S.	HR Matters	May 7/02	Economic Development	Staff to report back	
T.	Consolidated Rural Municipal Numbering By-law	May 7/02	Planning and Development	Referred to staff for outside pricing and report back	
U.	Municipal Tax Competitiveness Study	May 23/02	Finance and Corporate Services	Referred to a Future COW in September	Nov./02
V.	Capital Program to modify mountable curb driveway approaches	July 2/02	TOE	Three sections tabled pending public consultation	
W.	Roles and Responsibilities of Committee of Adjustment	July 2/02	Planning and Development	Tabled pending further consultation with the community and report back on policy addressing political influence	
X.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
Y.	Delivery of ambulance services, response times, standards, dispatch	August 6/02	Chief Peace	Staff to bring report back on status of delivery	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Z.	Inventory of underground and above ground works	August 6/02	Transportation, Operations and Environment	Staff to provide report which outlines inventory of underground and aboveground works, road construction with budget amounts	
AA.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	
BB.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
CC.	Correspondence from Ministry of Transportation respecting Highway 6 from Highway 5 to Concession	Council Communication of July 10, 2002	TOE	Staff to report back to Committee of the Whole	
DD.	Petition - reduction in speed on Leeming Road	Council Communication of August 14	TOE	Staff to report back to Committee of the Whole	
EE.	Petition - installation of a right paved turning lane to Algonquin going east on Highway #5	Council Communication of August 14, 2002	TOE	Staff to report back to Committee of the Whole	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
FF.	Correspondence from Municipality of Niagara respecting Water Quality Protection Strategy	Council Communication of August 14, 2002	TOE	Staff to report back to Committee of the Whole	
GG.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	
HH.	Hamilton Future Fund	Sept. 10/02	Finance and Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
II.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
JJ.	Report of the Accommodations Study Sub-Committee	Sept. 10/02	Community Services	A meeting of the sub-committee to occur. Staff directed to report back	Nov./02
KK.	Motion - ODSP Bus Pass	Sept. 10/02	Social and Public Health	Staff to report back on feasibility of a subsidy program	
LL.	Fee Waiver Policy	Sept. 10/02	Community Services	Staff to report back as part of the annual budget on the extent to which the City subsidizes third party use	Budget Deliberations

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
MM.	Hamilton's Wastewater System	Sept. 17/02	TOE	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates on compliance, overstrength and surcharge agreements	
NN.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	October/02
OO.	Development charges and building permit fees for the Hamilton Regional Cancer Centre and St. Joseph's Healthcare	Sept. 17/02	City Manager/ Finance and Corporate Services/ Planning and Development	Deferred for one month	October 22/02
PP.	By-law to regulate postering of signs on public property	Sept. 17/02	TOE & FCS	Staff to prepare by-law to regulate postering	

SECTION 2

SECTION 3

3.1

-----Original Message-----
From: Ken Stone [mailto:ken.stone@3web.net]
Sent: September 30, 2002 11:28 PM
To: clerk@city.hamilton.on.ca
Subject: presentation to council

Dear Sir:
I wish to make a presentation on behalf of CCAR to city council on the need to create three additional city councillor positions for the 2003 municipal elections, these positions to be reserved, one each, for candidates and electors who are visible minorities, native persons, and the disabled.
Please be kind enough to explain the process to me and give me a timeline of possible dates.
Yours truly,
Ken Stone,
Chair,
Community Coalition Against Racism.

3.2

Steven S. Roberts
63 Queenlea Dr.
Hamilton ON
L8W 1P6

City Clerk
City of Hamilton

Re: 750 Haldibrook Rd

City Clerk;

I Steven Roberts, am the owner of the property known as 750 Haldibrook Rd, also known as Pt of Lot 29, Con 10 in the New City of Hamilton.

I would like to request a meeting with the City of Hamilton Sub Committee to discuss matters pertaining to my property as noted above.

Your earliest reply would be greatly appreciated.

Thank You

Steven S. Roberts

cc. Councillor Mitchell

SECTION 4

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.1

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002	**Prepared by:**	John Spolnik (905) 546-2574 Judy Downey (905) 540-6108

SUBJECT: **Appointment of the Chief Building Official, Deputies and Inspectors (PD01011(a)) (City Wide)**

RECOMMENDATION:

That the By-law attached to Report PD01011(a) respecting the appointments of the Chief Building Official, Deputies and Inspectors be approved.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This report explains the need to amend By-law No. 01-003, the Appointment of the Chief Building Official, Deputies and Inspectors.

BACKGROUND:

In order to satisfy provincial requirements the Council of the City of Hamilton needs to appoint a Chief Building Official, Deputies and Inspectors for the purpose of enforcement of the Ontario Building Code Act.

The proposed amendment to By-law No. 01-003 clarifies the powers of the Chief Building Official, Peter C. Lampman, Director of Building and Licensing. In the absence of the C.B.O., Tom Redmond, Manager of Engineering and Zoning is appointed the C.B.O. Marianne Brown, John Lane and John Spolnik, Managers of Building Construction are appointed as Deputy Chief Building Officials in place of the C.B.O. The Deputy C.B.O.s are appointed to issue orders to uncover, and orders to stop or cease construction or demolition pursuant to the Building Code Act, S.O. 1992, c.23, and shall have all the powers and duties of the Chief Building Official.

ANALYSIS OF ALTERNATIVES:

In order to satisfy provincial requirements the Council of the City of Hamilton needs to appoint a Chief Building Official, Deputies and Inspectors for the purpose of enforcement of the Ontario Building Code Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – No change.

Staffing – No change. The proposed amendment reflects staff changes for exiting building inspectors.

Legal – None

POLICIES AFFECTING PROPOSAL:

The appointment of the Chief Building Official, Deputies and Inspectors satisfies provincial requirements for the purpose of enforcement of the Ontario Building Code Act.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff consulted with Legal Services respecting the appointment of Deputy Chief Building Officials in the absence of the Chief Building Officials.

CITY STRATEGIC COMMITMENT:

The appointment of Chief Building Official, Deputies and Inspectors ensures that the Building Code Act is enforced pursuant to Provincial requirements.

:js
:jd
Attach. (1)

Authority: Item , Committee of the Whole
Report PD01011(a)
CM: October 23, 2002

Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Amend By-law No. 01-003

Respecting the Appointments of the Chief Building Official, Deputies and Inspectors

WHEREAS Council deems it necessary to provide for the appointment of Deputy Chief Building Officials to assist in carrying out the duties of the Chief Building Official;

AND WHEREAS the appointment of additional deputies will also allow the effective and timely issuance of orders to uncover and orders to stop or cease work across the geographic area of the City of Hamilton;

AND WHEREAS the list appointments of inspectors under the By-law No. 01-003 needs to be changed to delete and add inspectors names;

AND WHEREAS section 3 of the Building Code Act, S.O. 1992, c. 23, provides for the appointment of a Chief Building Official and inspectors, and subsection 28(o) of the Interpretation Act, R.S.O. 1990, c. I.11, provides for the appointment of deputies.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1 of City of Hamilton By-law No. 01-003 as may be amended, appointing Peter C. Lampman, P. Eng., Director of Building and Licensing as the Chief Building Official for the City of Hamilton, is hereby amended to add the following subsection as subsection (c):

   "(c) The Chief Building Official has all the power and duties of such office assigned by statute and under by-laws of the City of Hamilton, including any by-law of the former area municipalities comprising the City that are still in force and effect."

2. Section 2 of City of Hamilton By-law No. 01-003 as amended, is repealed and replaced with the following:

"2. (a) Thomas J. Redmond, P. Eng., is hereby appointed a Deputy Chief Building Official and an Inspector for the City of Hamilton, with the title "Manager of Engineering and Zoning".

(b) When the Chief Building Official is absent, the Deputy in subsection (a) above may perform and has all the powers and duties of the Chief Building Official.

(c) For the purpose of this section, "absent" includes when the Chief Building Official is ill or unavailable for any reason, or when the office is vacant."

1. Section 3 of City of Hamilton By-law No. 01-003 as amended, is repealed and replaced with the following:

"3. (a) For the purposes of subsection (b) below, the following persons are hereby appointed Deputy Chief Building Officials for the City of Hamilton:

Marianne Brown, Manager, Building Construction;

John W. Lane, Manager, Building Construction; and

John Spolnik, Manager, Building Construction.

(b) The Deputies appointed in subsection (a) above may, in place of the Chief Building Official, issue orders to uncover and orders to stop or cease construction or demolition under the Building Code Act, S.O. 1992, c. 23, and shall have all the powers and duties of the office necessary to carry out such powers and duties.

(c) For the purpose of this section and enforcement the Chief Building Official may assign or re-assign the deputies appointed by this section, to a particular area or areas of the City of Hamilton, but in any event the Chief Building Official and the deputies may issue the orders provided for in subsection (b) above in any area of the City.

(d) The persons listed in subsection (a) above are also appointed as Inspectors under the Building Code Act, S.O. 1992, c. 23 for the City of Hamilton."

2. Section 4 of City of Hamilton By-law No. 01-003 as amended, is hereby further amended, by:

(a) deleting the names of the following persons:

Doug Clark
Gerald Bethlehem
Andre Gravelle
Peter Vanderbeek
Steve Warner
Henry Dekker
Jeff Kruger
Dana Turnbull
Robert Milligan
Jack Tosta
Bill Olmstead
Rae Greenwood;

and

(b) adding the following names, as Inspectors for the City of Hamilton:

Micheal Loucks
Robert Lalli
Alfonso Principato
Robert Stumpo
Jorge Caetano
Nick Anastasopoulos

5. In all other respects, City of Hamilton By-law No. 01-003 as amended is hereby confirmed without change.

6. This By-law comes into force and effect on the date of its enactment.

PASSED and ENACTED this day of , 2002.

MAYOR

CLERK

CITY WIDE
IMPLICATIONS

4.2

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002	**Prepared by:**	Judy Downey (905) 540-6108

SUBJECT: **Amend By-law No. 01-068 Appointment of Municipal Law Enforcement Officers (PD01071(b)) (City Wide)**

RECOMMENDATION:

That the amending By-law attached to Report PD01071(b) respecting the Appointment of Municipal Law Enforcement Officers for the City of Hamilton By-law No. 01-068 be approved.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

This report explains the need to amend By-law No. 01-068, the Appointment of Municipal Law Enforcement Officers for the City of Hamilton.

BACKGROUND:

Pursuant to the Police Services Act, 1990, municipalities may appoint Municipal Law Enforcement Officers by By-law, to enforce the by-laws of the municipality. The Licensing, Inspection and By-law Enforcement Officer as named in the accompanying amending by-law was hired to compliment the current officers, and meet the needs for enforcement throughout the new City, enforcing by-laws such as the licensing code, property standards, backyard by-law, zoning, noise and other miscellaneous by-laws.

Staff recommend that the City of Hamilton amend the appointment by-law and appoint the Municipal Law Enforcement Officer pursuant to the Police Services Act, to reflect staffing changes.

ANALYSIS OF ALTERNATIVES:

Municipal Law Enforcement Officers must be appointed by by-law in order to have the authority to provide enforcement, respond to complaints, and undertake prosecution, if necessary, throughout the jurisdiction of the entire new City.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – No change

Staffing – No change. The Department filled two vacant positions as Officers have exited. One position is on a temporary basis

Legal – None

POLICIES AFFECTING PROPOSAL:

The appointment of Municipal Law Officers ensures that the by-laws of the City of Hamilton and those by-laws of the former municipalities, including the essential service of enforcing the Noise By-law, will be enforced.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

None

CITY STRATEGIC COMMITMENT:

The appointment of Municipal Law Officers ensures that the by-laws of the City of Hamilton and those by-laws of the former municipalities, including the essential service of enforcing the Noise By-law, will be enforced.

:jd
Attach. (1)

Authority: Item , Committee of the Whole
Report PD01071(b)
CM: October 23, 2002

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Amend By-law No. 01-068

City of Hamilton By-law to Appoint Municipal Law Enforcement Officers

WHEREAS Section 15 of the Police Services Act R.S.O. 1990, c.P.15 authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

Amend Section 1, By-law No. 01-068 by appointing the following names as Municipal Law Enforcement Officers for the City of Hamilton:

1. Amend Section 1, By-law No. 01-068 by appointing the following names as Municipal Law Enforcement Officers for the City of Hamilton:

   Mike Francoeur
   Larry Dilks

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-068, is hereby confirmed and unchanged.

3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED this day of A.D. 2002

MAYOR

CITY CLERK

AFFECTS
WARD 10

CITY OF HAMILTON

4.3

PLANNING AND DEVELOPMENT DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 ZAR-02-65	**Prepared by:**	Owen Quinn (905) 643-1262, Ext. 334

SUBJECT: **Request for Removal of the Holding (H) Provision - Lands Located at 369-377 Highway No. 8, in the Former City of Stoney Creek (PD02208) (Ward 10)**

RECOMMENDATION:

(a) That approval be given to **Zoning Application ZAR-02-65, Adorn Investments Limited, owner**, requesting removal of the Holding "H" Provision under Section 36(1) of the Planning Act, R.S.O., 1990, to allow use of the land, in accordance with the General Commercial "GC-46" Zone, for those lands located at 369-377 Highway No. 8, as shown on Appendix "A" to Report PD02208, on the following basis:

(i) That the subject lands be rezoned from the General Commercial Holding "GC-46(H)" Zone to the General Commercial "GC-46" Zone.

(b) That the draft By-law to amend Zoning By-law No. 3692-92, attached as Appendix "B" to Report PD02208, be forwarded to Council for adoption.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The purpose of this By-law is to remove the Holding (H) Provision for those lands located at 369-377 Highway No. 8, as shown on Appendix "A". The owner of the subject property has submitted this application to allow for the development of a commercial plaza (Worsley Plaza), which includes residential units located on the second storey of the plaza, along with a free-standing one-storey commercial building on site.

The Holding Provision was imposed, until such time, as the completion of a Noise Assessment Study investigating the noise levels that may affect any of the proposed residential development. In August of 2002, a Noise Assessment Study, completed by HGC Engineering, was submitted to the City. Staff, note that this study is satisfactory and support the application to remove the Holding Provision.

BACKGROUND:

On June 22, 1999, the former City of Stoney Creek Council passed By-law No. 4951-99, which changed the zoning of the lands at 369-377 Highway No. 8 from the Small Scale Institutional "IS" Zone the to General Commercial Holding "GC-46(H)". The By-law noted the following:

"Notwithstanding the provisions of Section 8.3.2, "Permitted Uses for Each Lot", those lands zoned "GC-46(H)" by this By-law may also be used for dwelling units and home occupations, provided such dwelling units are located above the ground floor and are not located in the cellar or basement. Notwithstanding Paragraph (a) of Section 4.10.2, "Required Parking", the minimum required parking, as provided in Section 4.10.9 for any permitted uses on those lands zoned "GC-46(H) by this By-law, may be established wholly, or partially, on adjacent lands owned by the Corporation of the City of Stoney Creek."

In addition, the By-law noted that the Holding provision, applicable to those lands zoned "GC-46(H)", may be removed by Council upon the completion of a Noise Assessment Study investigating the noise levels that may affect any of the proposed residential development. Furthermore, the said Study shall recommend noise control measures, if applicable, and should be to the satisfaction of the Region of Hamilton-Wentworth and City of Stoney Creek.

The subject lands were previously owned by the former City of Stoney Creek, and a public library existed on the site during this time. However, the building was demolished in October, 2001.

A site plan application was submitted to the City Planning and Development Department in March, 2002. The site plan illustrates two (2) proposed buildings. The first building is a two-storey building with 1,429 square metres of gross commercial floor area on the ground floor and fourteen (14) residential apartment units on the second floor. The second building is a 357.67 square metre one-storey commercial building with a drive-thru.

The site plan is pending approval upon confirmation that the portion of Beach Boulevard abutting the subject property to the north has been sold from the City to the owners of the subject property.

ANALYSIS OF ALTERNATIVES:

N/A.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As required by the Planning Act, Council approval is required for removal of a Holding Provision. A Public Hearing is not required, however, notice of the intent to pass the By-law must be given. There are no financial or staffing implications related to this proposal.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The application falls within the parameters of the Provincial Policy Statement.

Hamilton-Wentworth Official Plan

The subject property is designated as Urban Area within the Hamilton-Wentworth Official Plan. A wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. The Holding Provision was put in place as a development control tool to ensure that a noise assessment was conducted to meet Ministry of the Environment noise standards. The requested noise study has been reviewed and approved. As a result, the application does not conflict with the policies of the Hamilton-Wentworth Official Plan.

Stoney Creek Official Plan:

The subject lands are designated General Commercial on Schedule “A”, General Land Use Plan and General Commercial within Schedule “A1” Secondary Plan Western Development Area. The proposal conforms with the general intent of the Official Plan.

With respect to Holding By-laws, the Plan states that when all conditions specified in the Holding By-law are met, Council may consider passing a By-law to remove the Holding Provision and allow development to take place in accordance with the zoning category assigned.

Stoney Creek Zoning By-law 3692-92:

The subject lands are zoned General Commercial Holding “GC-46(H)” Zone in Zoning By-law 3692-92. This zone permits a range of commercial uses and may also be used for dwelling units and home occupations provided such dwelling units are located above the ground floor and are not located in the cellar or basement. Removal of the Holding

Provision will allow the development and use of the land in accordance with General Commercial "GC-46" Zone.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Development Engineering Section, Planning and Development Department:

We have reviewed the application and have no objections to the removal of the designated Holding (H) Provision placed on the subject lands.

Finance Department

Please note that we have no comments or objections regarding the application in respect to Local Improvement/Municipal Act charges.

CITY STRATEGIC COMMITMENT:

The removal of the Holding Provision will allow for the development of a mixed use building (i.e. a commercial plaza with second storey residential units) within the Urban Area.

COMMENTS:

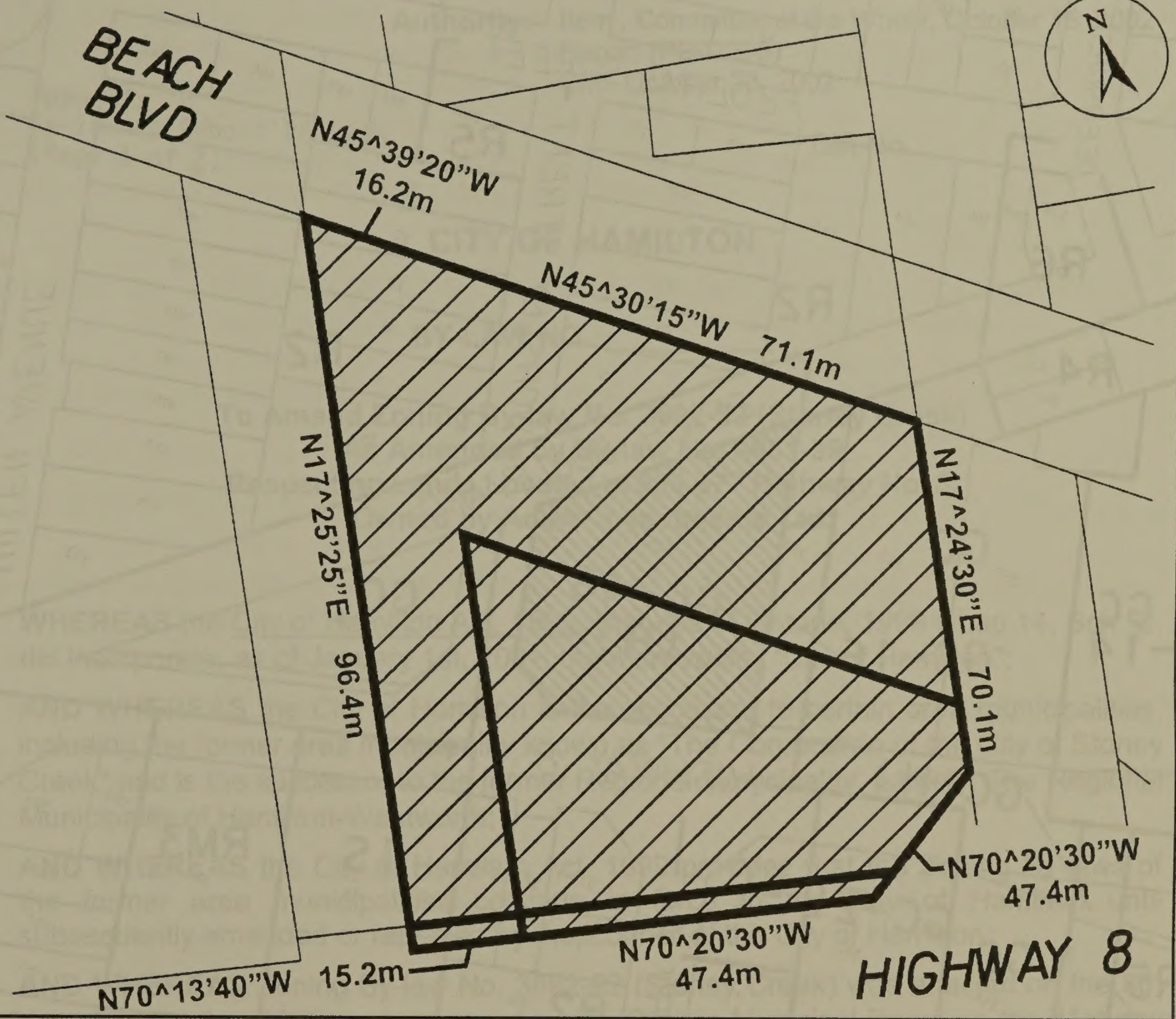
The City's Legislative Approvals Team noted, in a memo dated August 6, 2002, that the Noise Feasibility Study for the removal of the Holding (H) Provision for Worsley Plaza, addresses the M.O.E. criteria for acceptable outdoor and indoor noise levels and concludes that noise control measures are not necessary to meet provincial (M.O.E.) guidelines. The approval of the Noise Assessment Report, satisfies the condition to remove the Holding (H) Provision.

CONCLUSION:

Based on the foregoing, Staff support the removal of the Holding (H) Provision from the subject land.

:OQ
Attachs. (2)

Schedule "A" to Report PD02208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N17^25'25"E 96.4m
N17^24'30"E 70.1m
N70^20'30"W
47.4m
N70^20'30"W
47.4m
N70^13'40"W 15.2m
HIGHWAY 8

This is Schedule "A" to By-Law No. 02 - ....

Passed the day of 2002

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 02-____

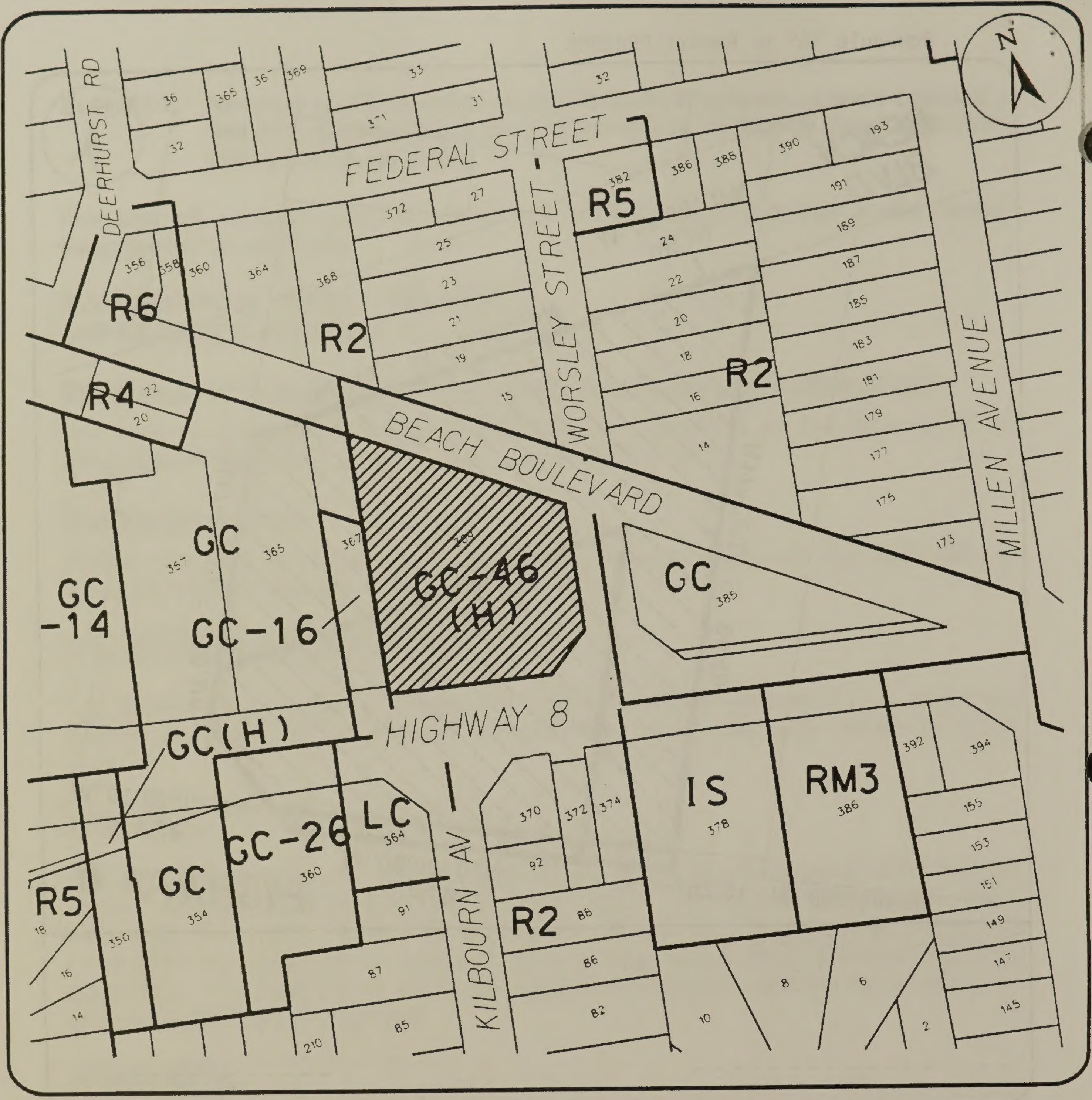
to Amend By-Law No. 3692-92

Planning and Development Department

Legend

▨ **Subject Property**
369-377 Highway No. 8
Change in Zoning from "GC-46(H)" (General Commercial Holding) Zone to "GC-46" (General Commercial) Zone

North	Scale	Reference File No
	NOT TO SCALE	ZAR-02-65
	Date	Drawn By
	Sept. 27, 2002	MC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FEDERAL STREET
DEERHURST RD
WORSLEY STREET
MILLEN AVENUE
BEACH BOULEVARD
HIGHWAY 8
KILBOURN AV
R5
R6
R2
R4
R2
GC
GC
-14
GC-16
GC-46
(H)
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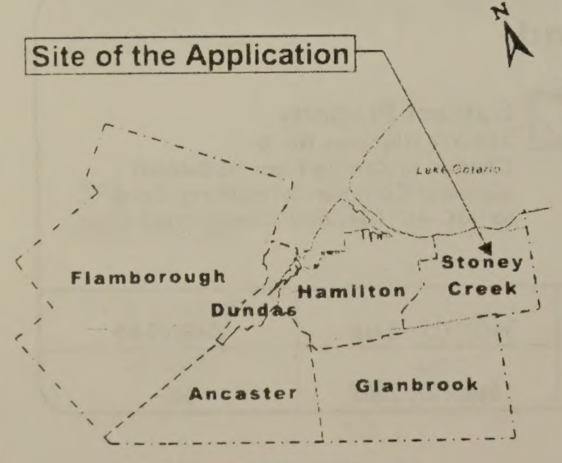
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Site of the Application
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney
Creek
Ancaster
Glanbrook

City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
369-377 Highway No. 8

Appendix "A" to Report PD02208

Filename/number	ZAC-02-65
Date	September 6, 2002
Technician	NM
Map Not to Scale	
Appendix "A"	

Authority: Item , Committee of the Whole, October 15, 2002
Report (PD02208)
CM: October 23, 2002

Appendix "B"
By-law to Report PD02208
(Page 1 of 2)

Bill No.

CITY OF HAMILTON

BY-LAW NO. ________

To Amend Zoning By-law No. 3692-92 (Stoney Creek) As Amended by By-law No. 4951-99 Respecting Lands Located at 369-377 Highway No. 8, Owned by Adorn Investments Ltd.

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was amended by By-law No. 4951-99 on the 22nd day of June, 1999, to rezone land located at 369-377 Highway No. 8 from the Small Scale Institutional "IS" Zone to the General Commercial Holding "GC-46(H)" Zone, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 4951-99 and forming part thereof, which By-law came into force on the day it was passed, in accordance with the Planning Act;

AND WHEREAS the owner has satisfied all of the conditions to remove the Holding (H) symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "H" (Holding) symbol affixed by By-law No. 4951-99, passed on the 22nd day of June, 1999, to the General Commercial Holding "GC-46(H)" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 4951-99 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the General Commercial "GC-46" Zone provisions of Zoning By-law No. 3692-92.

2. Zoning Map No. 6 of Schedule "A" of Zoning By-law No. 3692-92, as amended by Section 1 of By-law No. 4951-99, is further amended by changing from the General Commercial Holding "GC-46(H)" Zone to the General Commercial "GC-46" Zone, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. In all other respects, By-law No. 4951-99 is hereby confirmed, unchanged.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2002.

MAYOR

CLERK

AFFECTS WARD 8

4.4

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 30, 2002	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Request for Stop Control at the Intersection of Christopher Drive and Christie Street (TOE02187) - (Ward 8)**

RECOMMENDATION:

(a) That southbound stop control be implemented on Christie Street at Christopher Drive; and

(b) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that southbound stop control be implemented at the "T" type intersection of Christopher Drive and Christie Street in Ward 8. The subject intersection is a three-leg intersection and currently, eastbound and westbound traffic on Christopher Drive is required to stop for southbound traffic on Christie Street. There have been no reported collisions at this intersection in at least the past five years. However, this is an unusual form of stop control in that the "through" road is required to stop for traffic on the stem of this "T" type intersection and this may cause confusion on the part of some motorists. Therefore, staff concurs with the request, as it will reinforce the expected operation of this type of intersection.

BACKGROUND:

The recommendation contained in this report primarily affects Ward 8.

Staff received a request from a resident of Christopher Drive, that southbound stop control be implemented at the "T" type intersection of Christopher Drive and Christie Street. The subject intersection is a "T" type intersection and currently, eastbound and westbound traffic on Christopher Drive is required to stop for southbound traffic on Christie Street. There have been no reported collisions at this intersection in at least the past five years. However, this is an unusual form of stop control in that traffic on the "through" road is required to stop for traffic proceeding on the stem of this "T" type intersection. This may cause confusion on the part of some motorists. Therefore, staff concurs with the request and recommends that southbound stop control be implemented on Christie Street at Christopher Drive.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action. The subject intersection has operated safely this way since its construction.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control on the stem of this "T" type intersection will clearly define the right-of-way at the subject intersection, thus, reducing the potential for collisions and providing a safer community environment.

Attached: Map & By-law

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   “Christie Southbound Christopher“

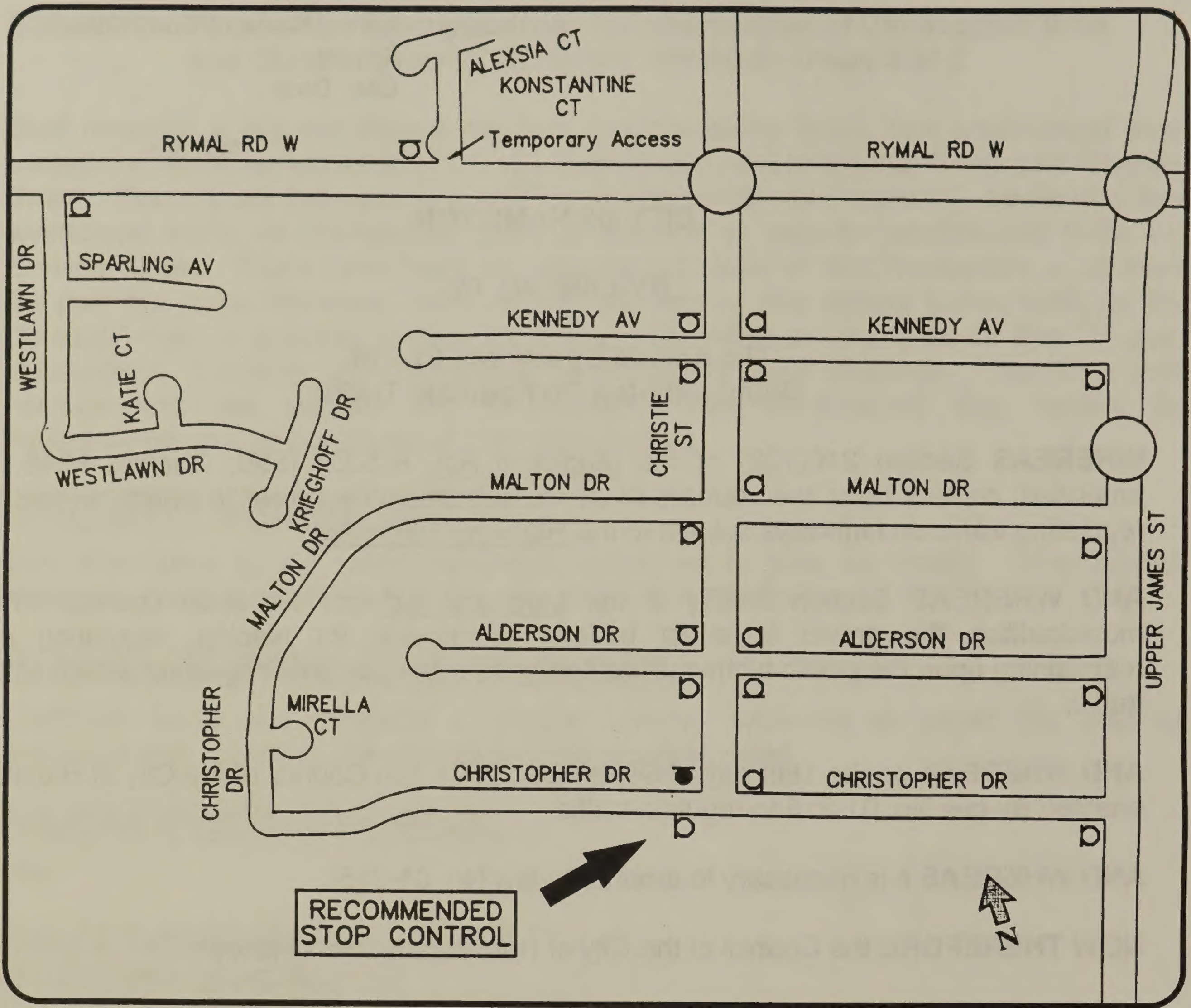
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

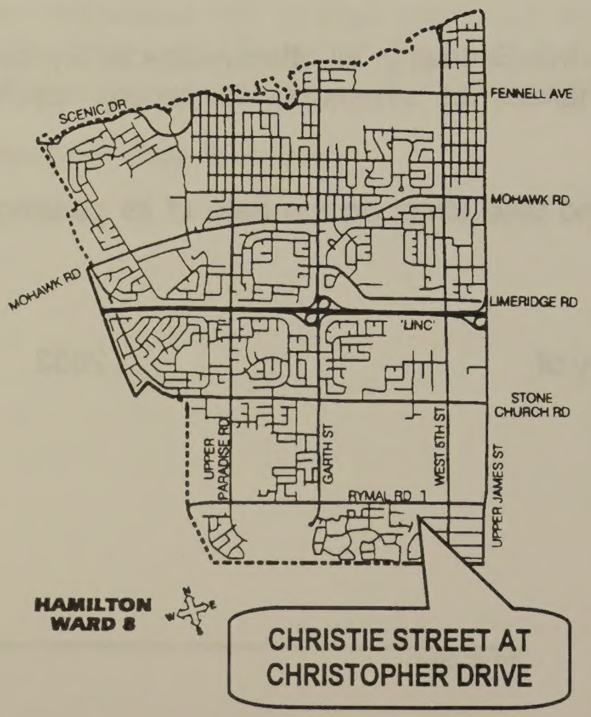
PASSED and ENACTED this day of , 2002

MAYOR

CLERK


ALEXSIA CT
KONSTANTINE CT
Temporary Access
RYMAL RD W
RYMAL RD W
WESTLAWN DR
SPARLING AV
KATIE CT
WESTLAWN DR
KRIEGHOFF DR
KENNEDY AV
KENNEDY AV
CHRISTIE ST
MALTON DR
MALTON DR
MALTON DR
ALDERSON DR
ALDERSON DR
MIRELLA CT
CHRISTOPHER DR
CHRISTOPHER DR
CHRISTOPHER DR
UPPER JAMES ST
RECOMMENDED STOP CONTROL
N

KEY MAP


SCENIC DR
FENNELL AVE
MOHAWK RD
MOHAWK RD
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER PARADISE RD
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD
HAMILTON WARD 8
CHRISTIE STREET AT CHRISTOPHER DRIVE

LOCATION PLAN

STOP CONTROL: SOUTHBOUND CHRISTIE STREET AT CHRISTOPHER DRIVE

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	▷	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE: NOT TO SCALE
DATE: 2002-09-30
REFERENCE FILE NO: TOE02187

AFFECTS WARD 4

CITY OF HAMILTON

4.5

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 30, 2002	**Prepared by:**	R. Galloway Extension 4585

SUBJECT: **Intersection Control - Maple Avenue and Park Row South (TOE02186) - (Ward 4)**

RECOMMENDATION:

(a) That an all-way stop control be implemented at the intersection of Maple Avenue and Park Row South; and

(b) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be approved and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that an all-way stop control be implemented at the intersection of Maple Avenue and Park Row. Staff support introducing an all-way stop at this intersection as the visibility is limited and therefore meets the warrant as based on the Council approved policy.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 4.

Councillor Merulla forwarded a request from an area resident that an all-way stop control be implemented at the intersection of Maple Avenue and Park Row.

The subject intersection is a four way intersection with eastbound and westbound traffic on Maple required to stop for northbound and southbound traffic on Park Row. A review of the collision history reveals no reported collisions in the last three years at this intersection. This is a very good collision record.

The traffic volumes at this intersection were found to be relatively equal on both streets. A greater number of pedestrians crossed the uncontrolled legs of the intersection, which would also increase during the school year.

Staff checked the visibility of oncoming traffic and determined that for eastbound motorists there only 68 metres of sight distance looking south and 71 meters of sight distance looking north due to trees in the boulevard. Under the approved policy, the minimum sight distance required for motorists stopped at the intersection to decide if it is safe to proceed through the intersection, is 95 metres. Visibility in all other directions is satisfactory.

Based on the policy criteria, the limited visibility at this intersection warrants all-way stop control. Therefore, staff recommends that an all-way stop control be implemented at the intersection of Maple and Park Row.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of all-way stop control. The subject intersection is presently controlled with eastbound and westbound traffic on Maple is required to stop for northbound and southbound traffic on Park Row. There have been no reported collisions at this intersection, which is an indication that the intersection is operating satisfactorily without all-way stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

Due to limited visibility at this intersection, all-way stop control is warranted by the City Council approved policy entitled the "Installation Policy for All-way Stop Control at Intersections".

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

Implementing all-way stop control at this intersection will increase the level of noise, dust and air pollution but will also reduce the potential for collisions at this intersection in the future, thereby providing a safer community.

Attach. Map & By-law

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 02-

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   “Park Row   Northbound and Southbound   Maple”

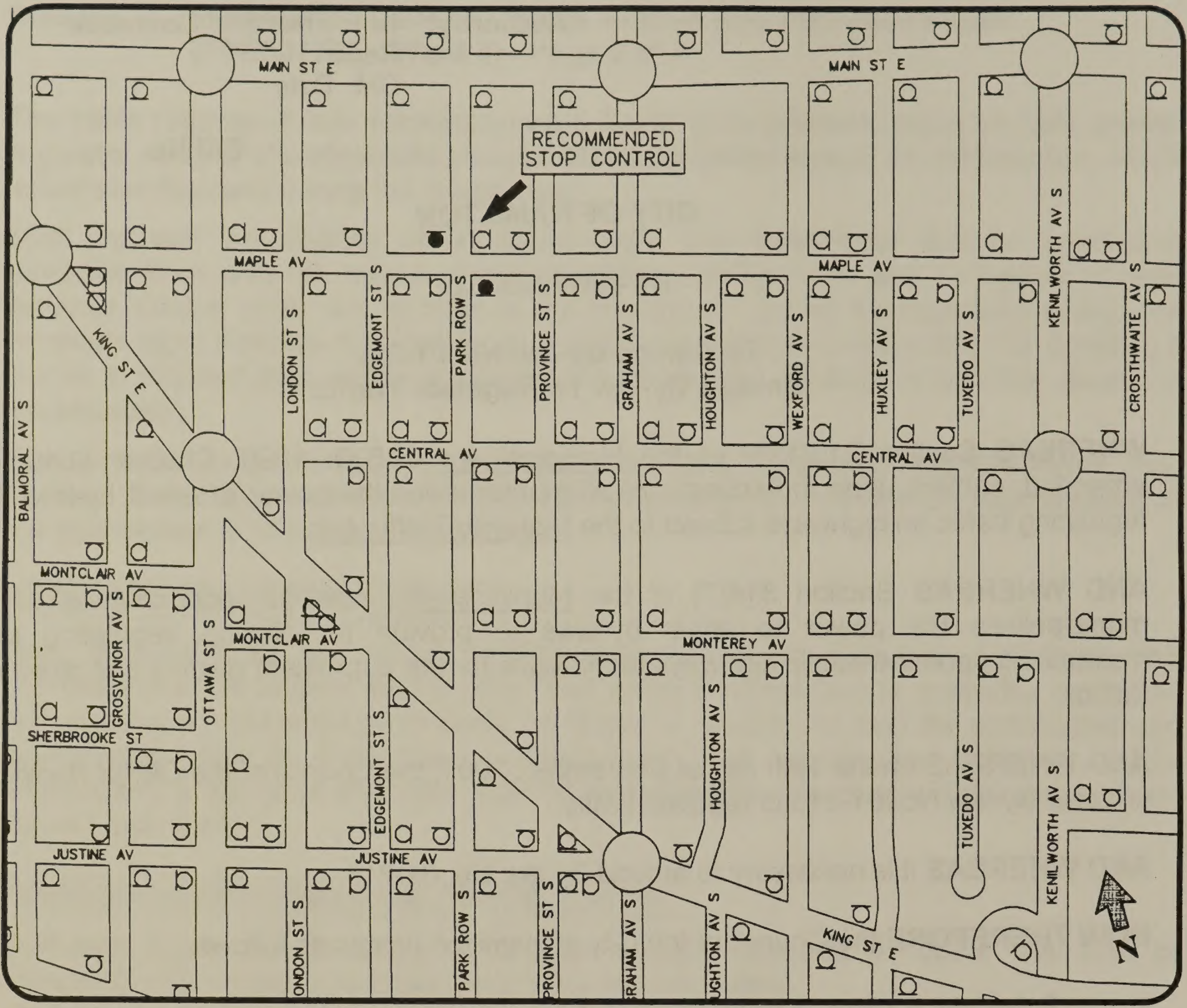
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

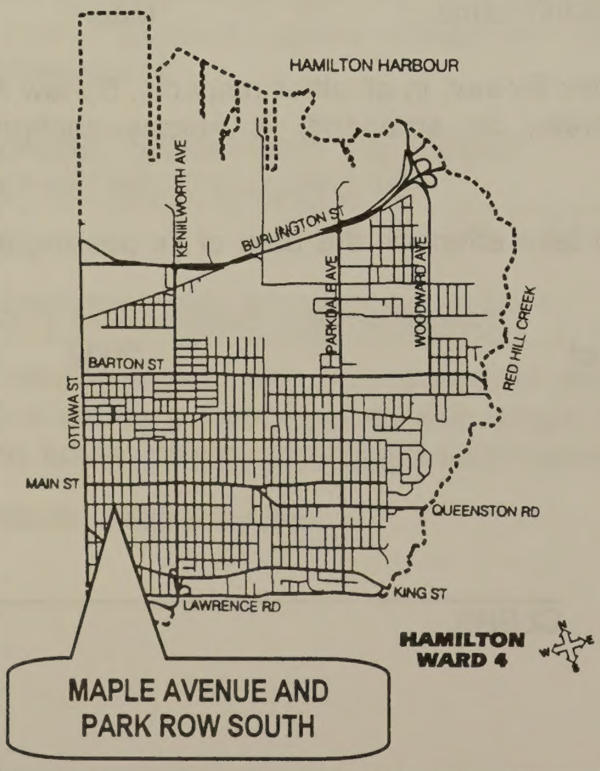
PASSED and ENACTED this day of , 2002

MAYOR

CLERK


MAIN ST E
MAIN ST E
RECOMMENDED STOP CONTROL
MAPLE AV
MAPLE AV
KING ST E
BALMORAL AV S
LONDON ST S
EDGEMONT ST S
PARK ROW S
PROVINCE ST S
GRAHAM AV S
HOUGHTON AV S
WEXFORD AV S
HUXLEY AV S
TUXEDO AV S
KENILWORTH AV S
CROSTHWAITE AV S
CENTRAL AV
CENTRAL AV
MONTCLAIR AV
MONTCLAIR AV
GROSVENOR AV S
OTTAWA ST S
MONTEREY AV
SHERBROOKE ST
EDGEMONT ST S
HOUGHTON AV S
TUXEDO AV S
KENILWORTH AV S
JUSTINE AV
JUSTINE AV
LONDON ST S
PARK ROW S
PROVINCE ST S
GRAHAM AV S
HOUGHTON AV S
KING ST E
N

KEY MAP


HAMILTON HARBOUR
KENILWORTH AVE
BURLINGTON ST
PARKDALE AVE
WOODWARD AVE
RED HILL CREEK
BARTON ST
OTTAWA ST
MAIN ST
QUEENSTON RD
KING ST
LAWRENCE RD
HAMILTON WARD 4
MAPLE AVENUE AND PARK ROW SOUTH

LOCATION PLAN

STOP CONTROL:
ALL-WAY STOP
MAPLE AVENUE AND
PARK ROW SOUTH
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	ᗡ	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE
NOT TO SCALE

DATE
2002-09-30

REFERENCE FILE NO: **TOE02186**

AFFECTS
WARD 5

CITY OF HAMILTON

4.6

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	September 27, 2002	**Prepared by:**	David Cuming (905) 643-1262 Ext. 215
File:	HP2002-025		

SUBJECT: **Heritage Permit Application (HP2002-025) under Part V of the Ontario Heritage Act to Permit the Construction of a Detached Residence and Garage at 883 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the City of Hamilton (PD02206) (Ward 5)**

RECOMMENDATION:

That Heritage Permit (HP2002-025) be approved for the construction of a detached residence and garage at 883 Beach Boulevard, Hamilton, according to the drawings, attached as Appendix B to Report PD02206, accompanying the permit application.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

883 Beach Boulevard is currently a vacant lot located within the Hamilton Beach Heritage Conservation District (HCD) designated under Part V of the Ontario Heritage Act and a heritage permit is required for the construction of any building or structure. The applicant proposes the construction of a detached residence and garage. The subject application satisfies the intent of the applicable HCD guidelines adopted by the Council of the former City of Hamilton.

BACKGROUND:

The Hamilton Beach Heritage Conservation District (HCD) was designated by the former City of Hamilton and approved by the Ontario Municipal Board in 2001 under Section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act a permit is required for the erection of any building or structure or for altering the external portions of any building or structure. Only the council of the municipality may issue such permits.

The subject property at 883 Beach Boulevard, see location map attached as Appendix A to Report PD02206, is a vacant lot and one of several City lots that has been recently sold. This subject application has been considered in the context of the HCD guidelines and current heritage conservation planning practice. The guidelines prepared for the Beach Boulevard HCD and approved by the former City of Hamilton provide advice on appropriate, compatible, new construction that has regard for height, width, setback, proportion and massing, roofs, materials, entrances, garages and ancillary structures

The proposed detached dwelling is a two storey structure with a hipped roof and an attached garage located on the north side with access on to Fourth Avenue. The placement of the garage in this location is considered to be preferable to that of inclusion within the front façade of the house facing onto Beach Boulevard. The exterior walls of the house and garage are to be of Smart Lap™ composite wood siding (Powder Blue) with white trim, balustrading and windows. Roof shingles are to be Dual Black. Doors and windows are to be executed in synthetic materials. The windows are to be free of decorative synthetic muntins. The proposed materials and the location of the proposed dwelling are considered to be acceptable as they satisfy the intent of the district guidelines.

ANALYSIS OF ALTERNATIVES:

The applicant has consulted with staff regarding the overall design and details of construction materials of the proposed dwelling. A number of alternatives in materials have been informally considered and discussed during pre-consultation prior to formal submission of the permit application. Acceptable changes to both staff and the applicant have included changes in materials and the exclusion of decorative muntins in windows.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions and new construction within the Hamilton Beach HCD are guided by the Hamilton Beach Heritage Conservation District Guidelines. The subject permit application is considered to be in keeping with these guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

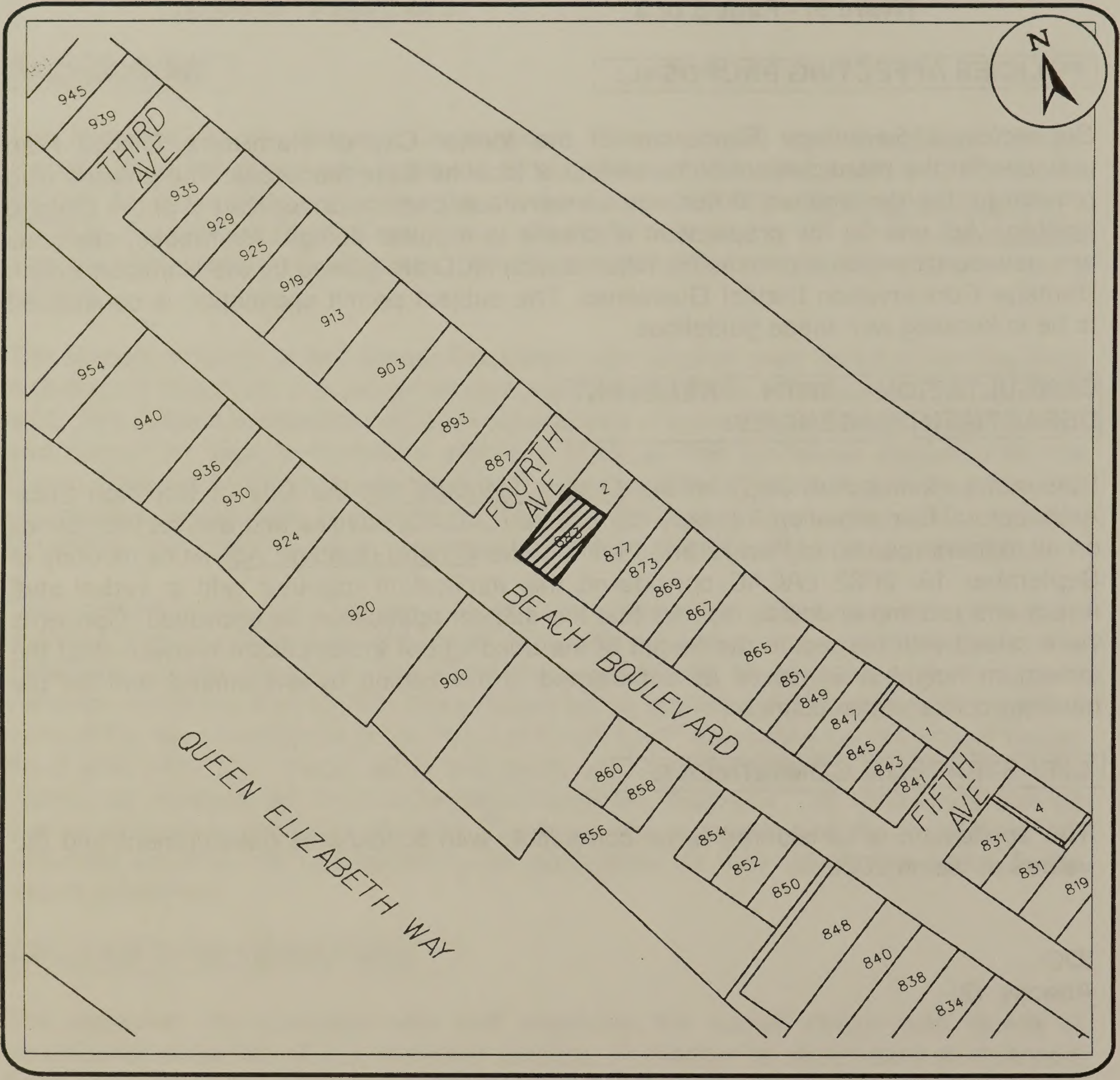
Pursuant to subsection 28(2) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of September 19, 2002 LACAC considered this application together with a verbal staff report and recommended to Council that the subject application be approved. Concerns were raised with respect to the height of the building but the applicant is aware that the maximum height is 9 metres as established in the zoning by-law amendment for the heritage conservation district.

CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:DC
Attachs. (2)

Appendix A to Report PD02206
COW
October 15, 2002


N
THIRD AVE
FOURTH AVE
FIFTH AVE
BEACH BOULEVARD
QUEEN ELIZABETH WAY
945
939
935
929
925
919
913
903
893
887
2
883
877
873
869
867
865
851
849
847
845
843
841
1
4
831
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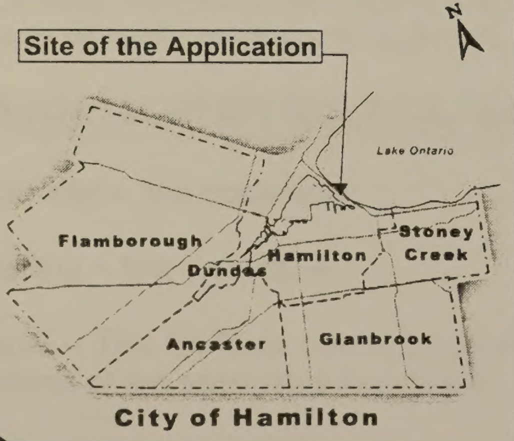
852
850
848
840
838
834


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

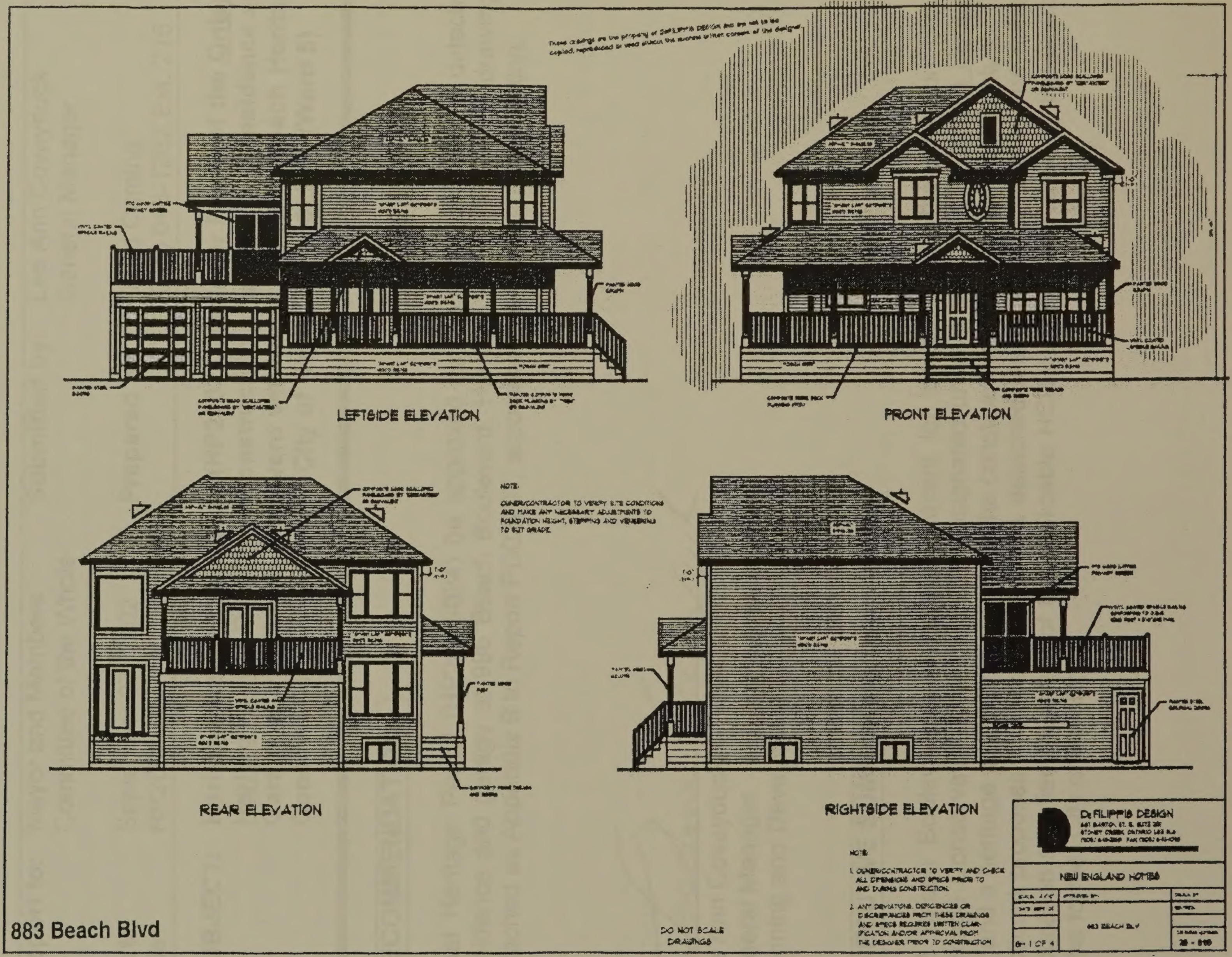
CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
883 Beach Boulevard

Filename/number *883 Beach Blv.*
Date *September 19, 2002*
Technician: *NM*
Map Not to Scale
Appendix "A"

Appendix B to Report PD02206
COW
October 15, 2002


These drawings are the property of DeFILIPPIS DESIGN and are not to be copied, reproduced or used without the express written consent of the designer.
LEFTSIDE ELEVATION
FRONT ELEVATION
NOTE:
OWNER/CONTRACTOR TO VERIFY SITE CONDITIONS AND MAKE ANY NECESSARY ADJUSTMENTS TO FOUNDATION HEIGHT, STEPPING AND VENEERING TO SUIT GRADE.
REAR ELEVATION
RIGHTSIDE ELEVATION
NOTE:
1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION
DeFILIPPIS DESIGN
NEW ENGLAND HOMES
883 BEACH BLV
1 OF 4
DO NOT SCALE DRAWINGS
883 Beach Blvd

AFFECTS
WARD 5

CITY OF HAMILTON

4.7

PLANNING AND DEVELOPMENT DEPARTMENT

Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 HP2002-024	**Prepared by:**	David Cuming (905) 643-1262 Ext. 215

SUBJECT: **Heritage Permit Application (HP2002-024) under Part V of the Ontario Heritage Act to Permit the Construction of a Detached Residence and Garage at 996 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the City of Hamilton (PD02207) (Ward 5)**

RECOMMENDATION:

That Heritage Permit (HP2002-024) be approved for the construction of a detached residence and garage at 996 Beach Boulevard, Hamilton, according to the drawings, attached as Appendix B to Report PD02207, accompanying the permit application.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

996 Beach Boulevard is currently a vacant lot located within the Hamilton Beach Heritage Conservation District (HCD) designated under Part V of the Ontario Heritage Act and a heritage permit is required for the construction of any building or structure. The applicant proposes the construction of a detached residence and garage. The subject application satisfies the intent of the applicable HCD guidelines adopted by the Council of the former City of Hamilton.

BACKGROUND:

The Hamilton Beach Heritage Conservation District (HCD) was designated by the former City of Hamilton and approved by the Ontario Municipal Board in 2001 under Section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act a permit is required for the erection of any building or structure or for altering the external portions of any building or structure. Only the council of the municipality may issue such permits.

The subject property at 996 Beach Boulevard, see location map attached as Appendix A to Report PD02207, is a vacant lot and one of several City lots that have been recently sold. This subject application has been considered in the context of the HCD guidelines. The guidelines prepared for the Beach Boulevard HCD and approved by the former City of Hamilton provide advice on appropriate, compatible, new construction that has regard for height, width, setback, proportion and massing, roofs, materials, entrances, garages and ancillary structures

This permit application has been considered in the context of the district conservation guidelines and current heritage conservation planning practice. The proposed detached dwelling is a one and one-half-storey structure with a hipped roof and dormer with an attached garage located on the south side. The exterior walls of the house and garage are to be of Smart Lap™ composite wood siding (Mist Green) with white trim, balustrading and windows. Roof shingles are to be Driftwood (Taupe Brown). Doors and windows are to be executed in synthetic materials. The windows are to be free of decorative synthetic muntins. The proposed materials and the location of the proposed dwelling are considered to be acceptable as they satisfy the intent of the district guidelines.

ANALYSIS OF ALTERNATIVES:

The applicant has consulted with staff regarding the overall design and details of construction materials of the proposed dwelling. A number of alternatives in materials have been informally considered and discussed during pre-consultation prior to formal submission of the permit application. Acceptable changes to both staff and the applicant have included changes in materials and the exclusion of decorative muntins in windows.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions and new construction within the Hamilton Beach HCD are guided by the Hamilton Beach Heritage Conservation District Guidelines. The subject permit application is considered to be in keeping with these guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

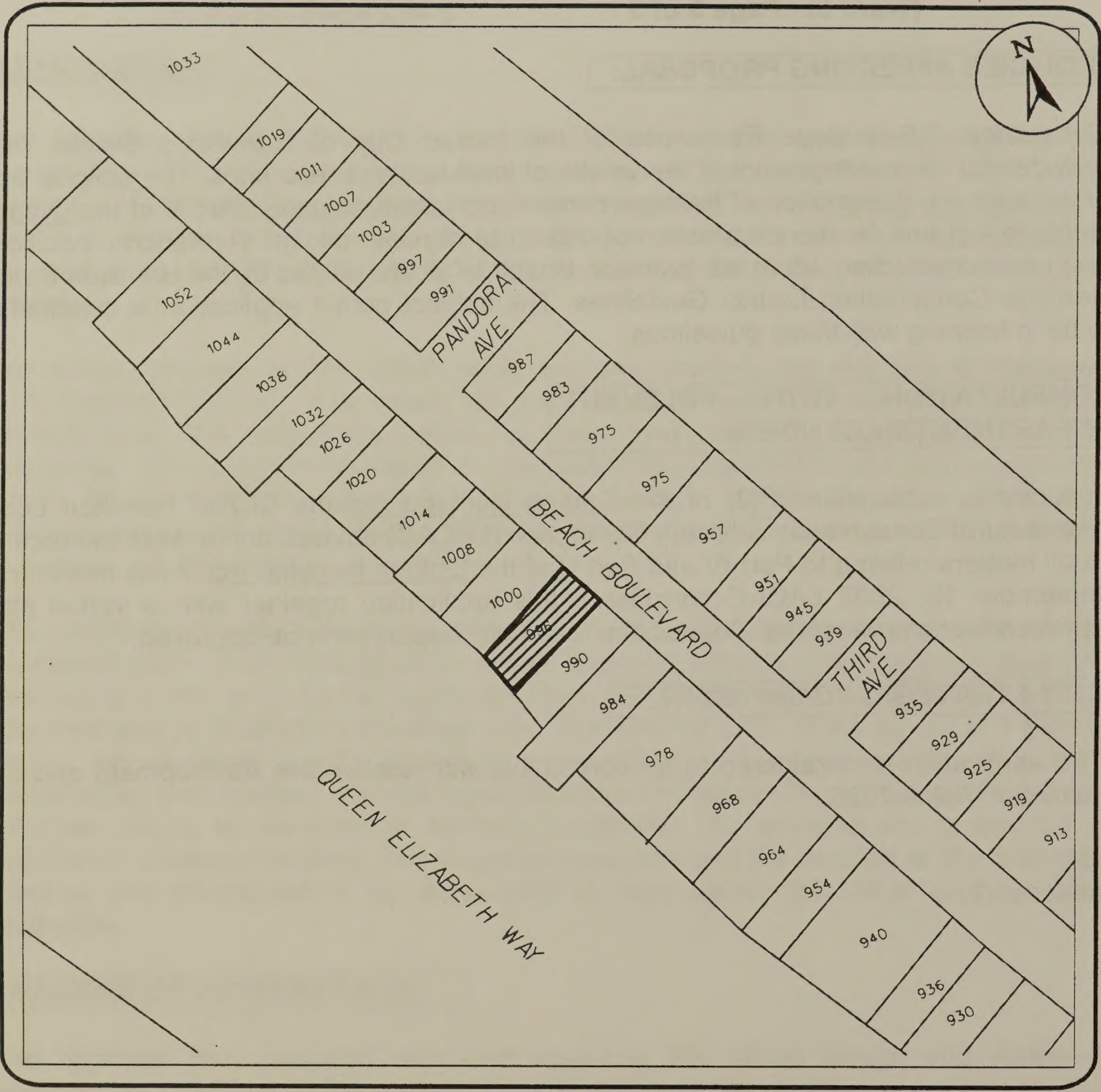
Pursuant to subsection 28(2) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of September 19, 2002 LACAC considered this application together with a verbal staff report and recommended to Council that the subject application be approved.

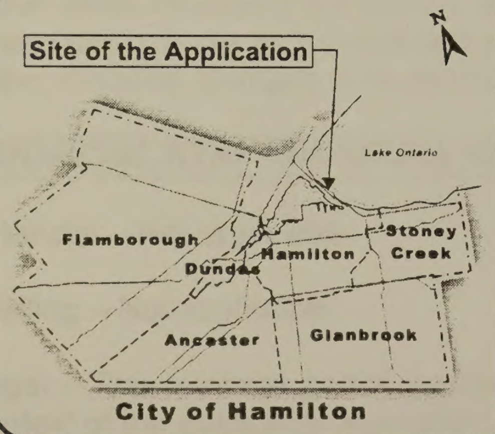
CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:DC
Attachs. (2)

Appendix A to Report PD02207
COW
October 15, 2002


N
1033
1019
1011
1007
1003
997
991
PANDORA AVE
1052
1044
1038
1032
1026
1020
1014
1008
1000
996
990
984
978
968
964
954
940
936
930
987
983
975
975
957
951
945
939
THIRD AVE
935
929
925
919
913
BEACH BOULEVARD
QUEEN ELIZABETH WAY


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
996 Beach Boulevard

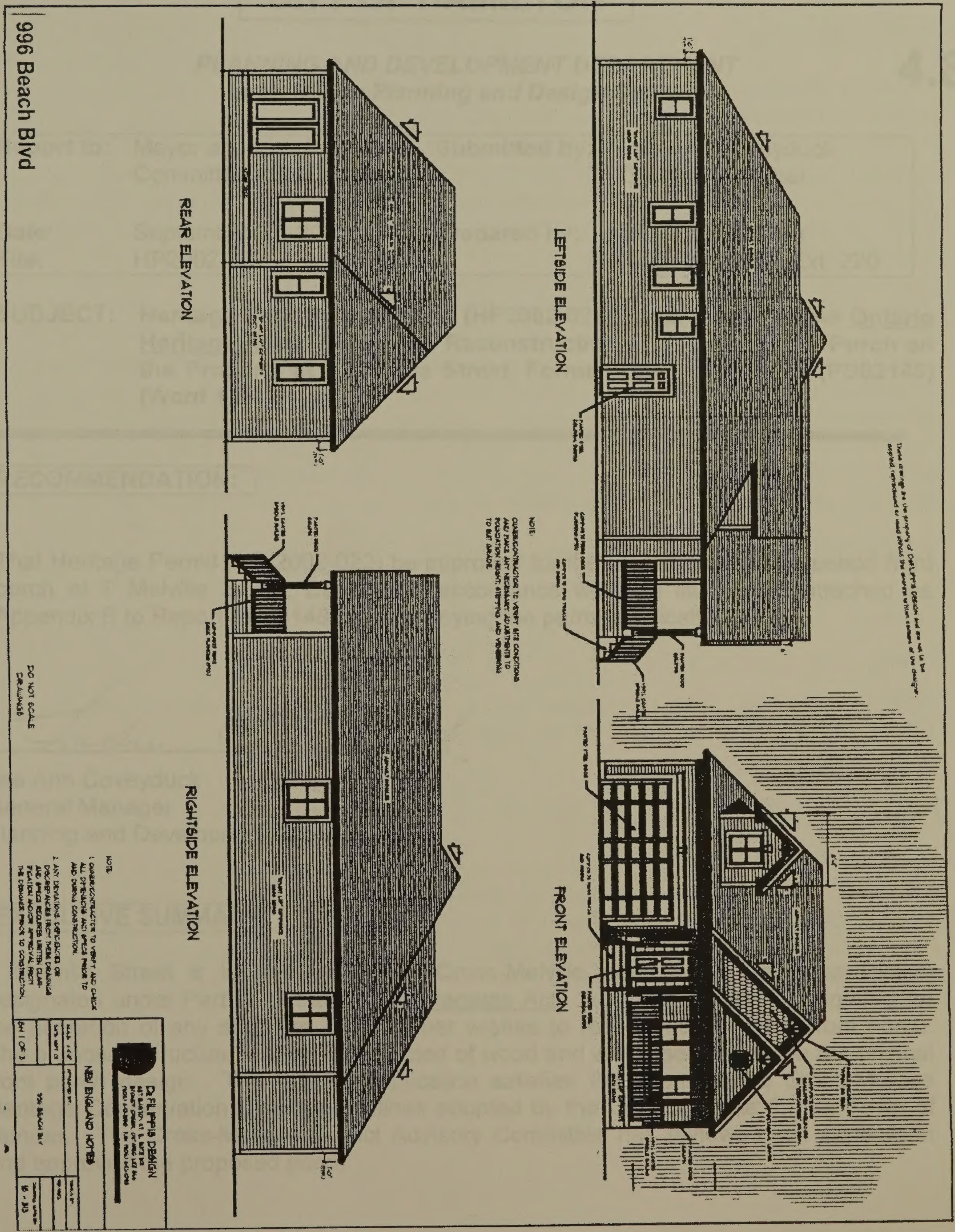
Filename/number
996 Beach Bvl.

Date
September 20, 2002

Technician:
NM

Map Not to Scale

Appendix "A"


996 Beach Blvd
REAR ELEVATION
LEFTSIDE ELEVATION
RIGHTSIDE ELEVATION
FRONT ELEVATION
DO NOT SCALE DRAWINGS
DeFILIPPIS DESIGN
NEW ENGLAND HOMES
996 BEACH BLVD

AFFECTS
WARD 13

CITY OF HAMILTON

4.8

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 HP2002-022	**Prepared by:**	Stephanie Barber (905) 643-1262 Ext. 220

SUBJECT: **Heritage Permit Application (HP2002-022) under Part V of the Ontario Heritage Act to Permit the Reconstruction of a Period Front Porch on the Property at 7 Melville Street, Former Town of Dundas (PD02148) (Ward 13)**

RECOMMENDATION:

That Heritage Permit (HP-2002-022) be approved for the reconstruction of a period front porch at 7 Melville Street, Dundas, in accordance with the illustration, attached as Appendix B to Report PD02148, accompanying the permit application.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

7 Melville Street is located within the Cross-Melville Heritage Conservation District designated under Part IV of the Ontario Heritage Act. A Heritage Permit is required for the alteration of any structure. The owner wishes to reconstruct a period front porch. The proposed structure is to be constructed of wood and will closely resemble the original front porch design. The subject application satisfies the intent of the Cross-Melville Heritage Conservation District guidelines adopted by the Council of the former Town of Dundas. The Cross-Melville District Advisory Committee has reviewed this application and approved the proposed porch.

BACKGROUND:

7 Melville Street is located on the north side of Melville Street, within the Cross-Melville Heritage Conservation District, see Appendix A to Report PD02148 attached. The Cross-Melville Heritage Conservation District (HCD) was designated in 1991 under Part V of the Ontario Heritage Act. The applicant proposes to reconstruct a period front porch that was constructed during the late nineteenth century. The original Victorian style structure was replaced during the 1940's with a new porch designed with three square posts resting on masonry piers.

ANALYSIS OF ALTERNATIVES:

The applicants are replacing the existing porch due to its poor condition. They also wish to restore the front porch to the original nineteenth century appearance. An historical photograph of the residence will be used to reconstruct the porch. The new porch will be constructed of wood, will incorporate a handrail and balustrade, and maintain the original hipped roof, see Appendix B to Report PD02128 attached. Illustration of residence is attached as Appendix C to Report PD02148.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – 7 Melville Street is located within the Cross-Melville Heritage Conservation District, designated under Part V of the Ontario Heritage Act.

POLICIES AFFECTING PROPOSAL:

The Cross-Melville Heritage Conservation District Plan contains guidelines for alterations to existing buildings and sites. One guideline within Section 6.3 of the Plan states that: "The design and construction of a new entrance and/or porch are encouraged to be compatible with the character of the building. Restoration of a missing porch should be based upon historical, pictorial and physical documentation." Official Plan policies of the former Town of Dundas support the conservation, protection and management of cultural heritage features. Approval of this heritage permit would not conflict with these policies and guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

CROSS-MELVILLE DISTRICT ADVISORY COMMITTEE:

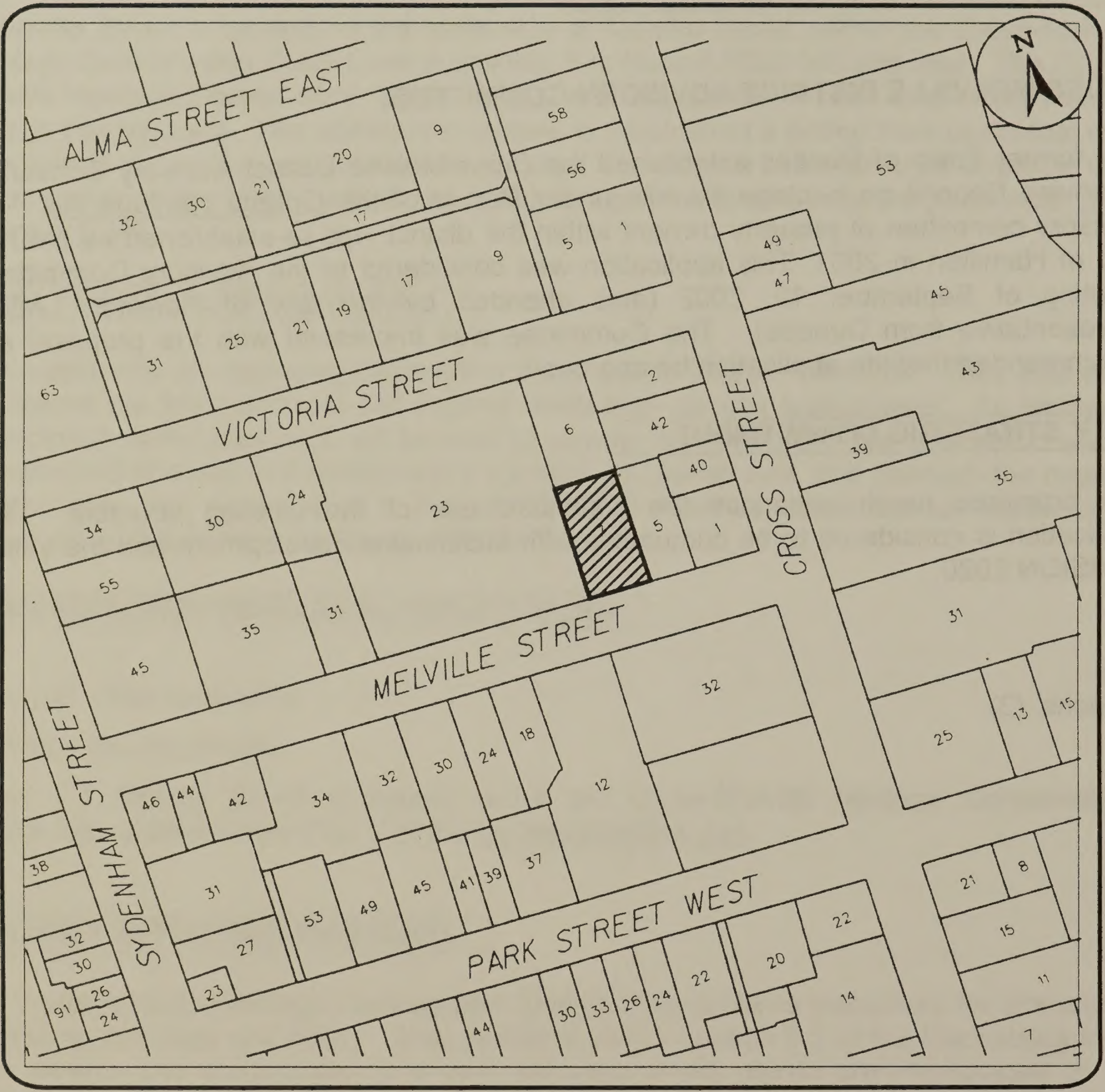
The former Town of Dundas established the Cross-Melville District Advisory Committee to advise Council on heritage permits under Part V of the Ontario Heritage Act. This advisory committee of property owners within the district was re-established by the new City of Hamilton in 2001. This application was considered at the Advisory Committee's meeting of September 10, 2002 (also attended by the City of Hamilton LACAC representative from Dundas). The Committee was impressed with the proposal and recommended that the application be approved.

CITY STRATEGIC COMMITMENT:

The proposed porch enhances the continued use of the existing structure. The application is considered to be compatible with sustainable development and the values of VISION 2020.

:SB
Attachs. (3)

Appendix A to Report PD02148
COW
October 15, 2002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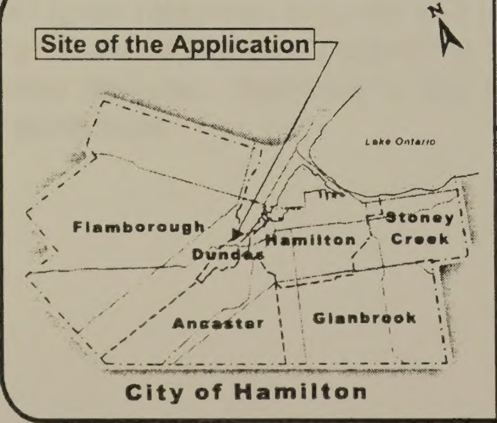
ALMA STREET EAST
VICTORIA STREET
CROSS STREET
MELVILLE STREET
SYDENHAM STREET
PARK STREET WEST


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

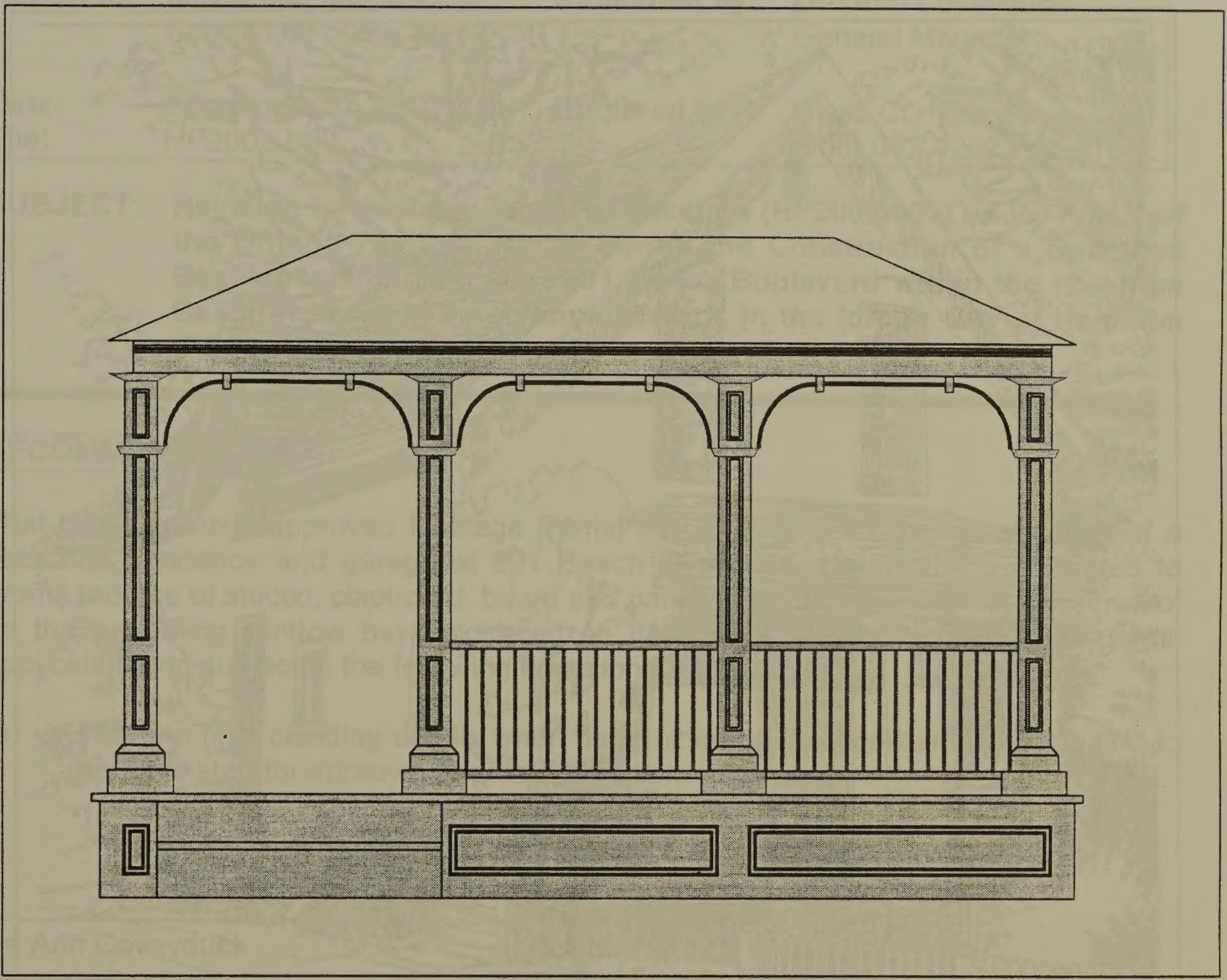
CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
7 Melville Street

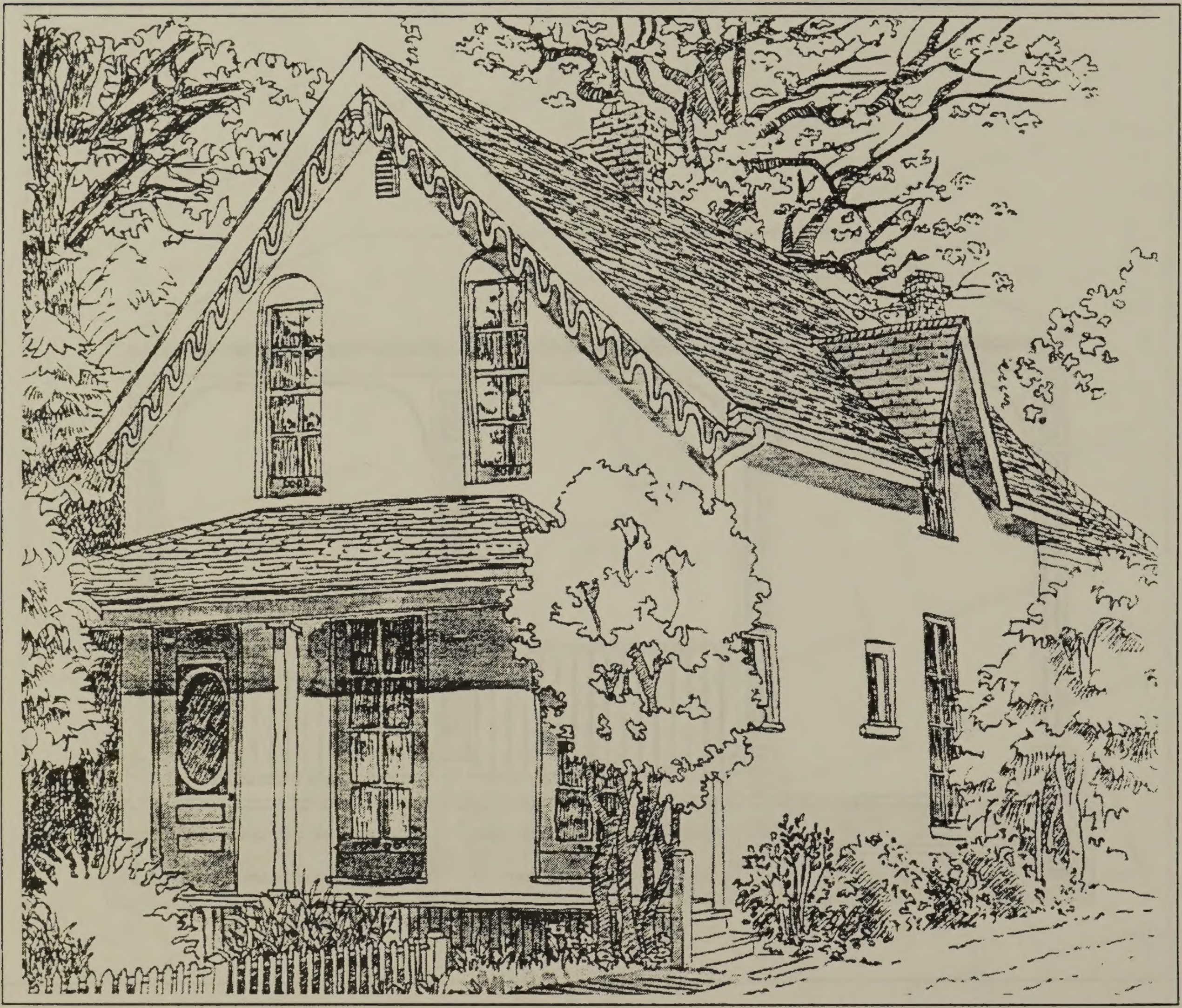
Filename/number *7 Melvile St*
Date *September 23, 2002*
Technician: *NM*
Map Not to Scale
Appendix "A"

Appendix B to Report PD02148
COW
October 15, 2002



Proposed Porch

Appendix C to Report PD02148
COW
October 15, 2002



7 Melville Street

AFFECTS
WARD 5

CITY OF HAMILTON

4.9

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 HP2002-009	**Prepared by:**	David Cuming (905) 643-1262 Ext. 215

SUBJECT: Revision to Heritage Permit Application (HP2002-009) under Part V of the Ontario Heritage Act to Permit the Construction of a Detached Residence and Garage at 991 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the former City of Hamilton (PD02099(a)) (Ward 5)

RECOMMENDATION:

That the previously approved Heritage Permit (HP2002-009) for the construction of a detached residence and garage at 991 Beach Boulevard, Hamilton, be amended to permit the use of stucco, clapboard, board and batten, shingles or a combination thereof on the projecting window bays indicated on the drawings accompanying the permit application and subject to the following condition:

(a) That the final cladding details when determined by the applicant be submitted to heritage staff for approval prior to installation.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

A previous heritage permit application was approved by Council on June 12, 2002 for the construction of a detached dwelling and garage at 991 Beach Boulevard within the Hamilton Beach Heritage Conservation District (HCD) designated under Part V of the Ontario Heritage Act. The applicant is seeking a change to the previously approved construction materials for a portion of the front façade. The subject application and revision satisfies the intent of the applicable HCD guidelines adopted by the Council of the former City of Hamilton.

BACKGROUND:

The Hamilton Beach Heritage Conservation District (HCD) was designated by the former City of Hamilton and approved by the Ontario Municipal Board in 2001 under Section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act a permit is required for the erection of any building or structure or for *altering* the external portions of any building or structure. Only the council of the municipality may issue such permits.

The subject dwelling at 991 Beach Boulevard, see location map attached as Appendix A to Report PD02099(a), is partially constructed and occupies one of several former City lots that was sold in the latter half of 2001. The applicant seeks to replace a portion of the façade that had been intended to be clad in board-and-batten with shingle, clapboard or stucco. All proposed materials or combination thereof would be acceptable.

This subject application has been considered in the context of the HCD guidelines. The guidelines prepared for the Beach Boulevard HCD and approved by the former City of Hamilton provide advice on appropriate, compatible, new construction that has regard for height, width, setback, proportion and massing, roofs, materials, entrances, garages and ancillary structures.

ANALYSIS OF ALTERNATIVES:

The applicant has consulted with staff on a regular basis regarding the overall design and details of construction materials of the proposed dwelling throughout the permit process. A number of alternatives both in design and materials have been informally considered and discussed during pre-consultation prior to formal submission of the original permit application.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions and new construction within the Hamilton Beach HCD are guided by the Hamilton Beach Heritage Conservation District Guidelines. The subject permit application is considered to be in keeping with these guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

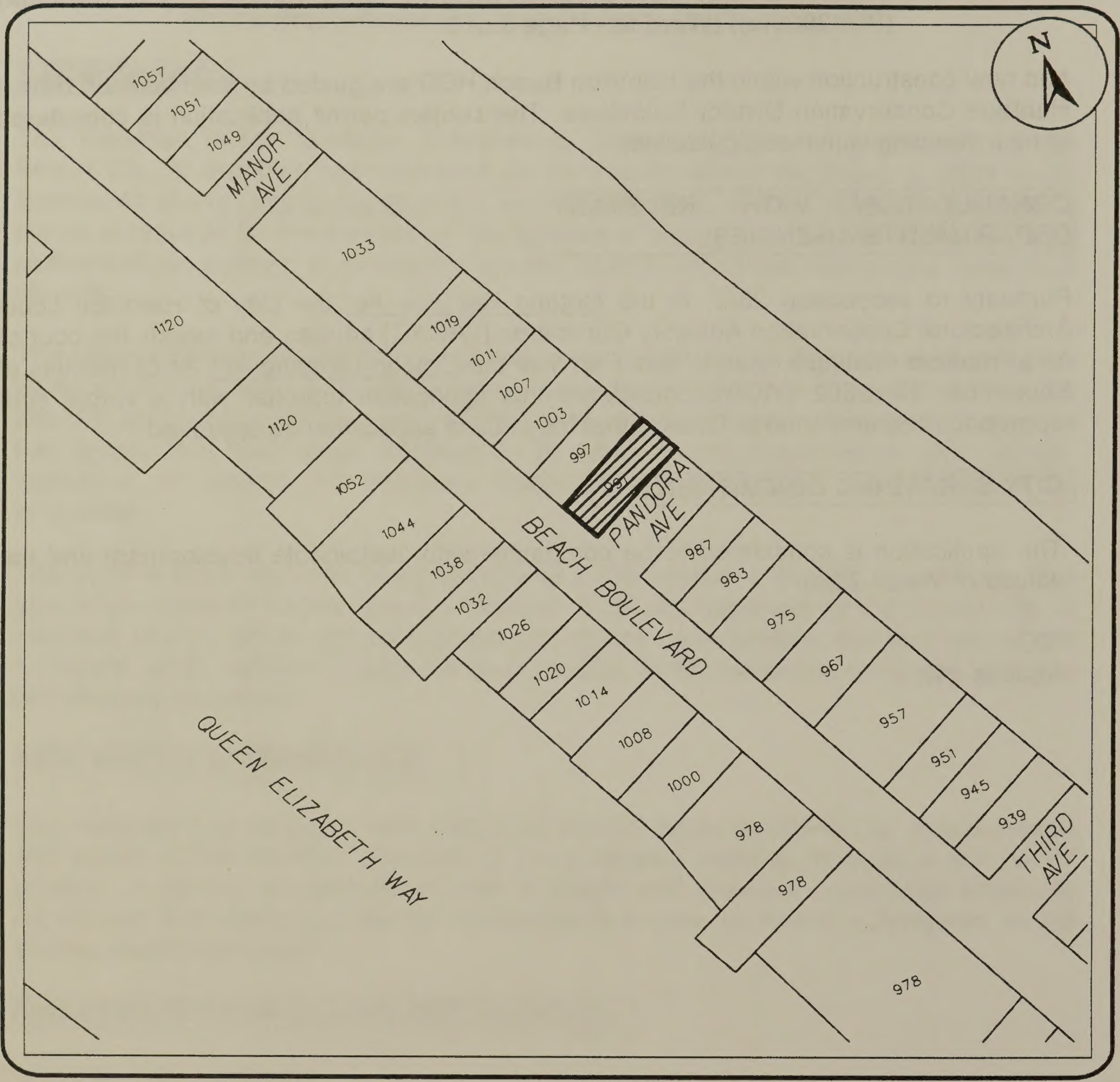
Pursuant to subsection 28(2) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of September 19, 2002 LACAC considered this application together with a verbal staff report and recommended to Council that the subject application be approved.

CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:DC
Attachs. (1)

Appendix A to Report PD02099(a)
COW
October 15, 2002


N
1057
1051
1049
MANOR AVE
1033
1120
1019
1011
1007
1120
1003
997
991
PANDORA AVE
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1044
BEACH BOULEVARD
987
983
1038
975
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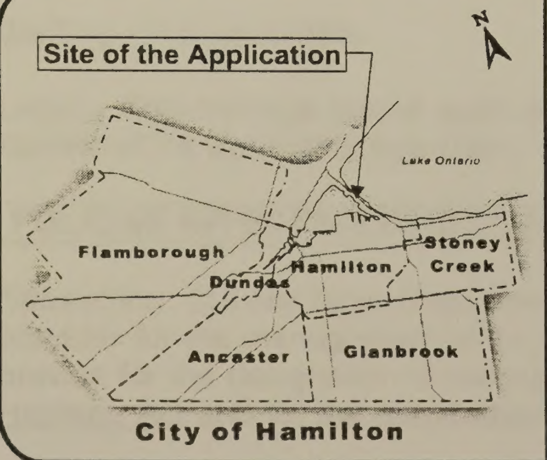
945
939
THIRD AVE
978
978
978


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
991 Beach Boulevard

Filename/number
991 Beach Blv.

Date
September 19, 2002

Technician:
NM

Map Not to Scale

Appendix "A"

AFFECTS
WARD 8

CITY OF HAMILTON

4.10

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 02 191132	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: **Demolition Permit – 173 Rymal Road West (PD02170) (Ward 8)**

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 173 Rymal Road West in accordance with Demolition Control By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner is proposing to demolish the existing single family dwelling and create eight new single family dwelling building lots under a subdivision agreement known as Georgina Estates. The demolition of this single family dwelling will satisfy one of the conditions required to be completed as part of the subdivision agreement approval.

BACKGROUND:

PRESENT ZONING:	C (Map W-9E)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Single Family Dwelling
BRIEF DESCRIPTION:	The owner is proposing to demolish the single family dwelling, for the purpose of creating eight single family dwelling building lots through a subdivision agreement

known as Georgina Estates. As of this date the subdivision agreement has not been finalized. Furthermore, the demolition of the dwelling is one of the conditions required in order to satisfy the subdivision agreement requirements. This property is located in the Kennedy East neighbourhood and is located in Ward 8. Please see attached location map shown as Appendix A to Report PD02170.

No LACAC interest. Lot size 22.86 x 127.1m

The owner of the property, as per the demolition permit application is:

William Mattina
165 Rymal Road West
Hamilton, ON L9B 1B7

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

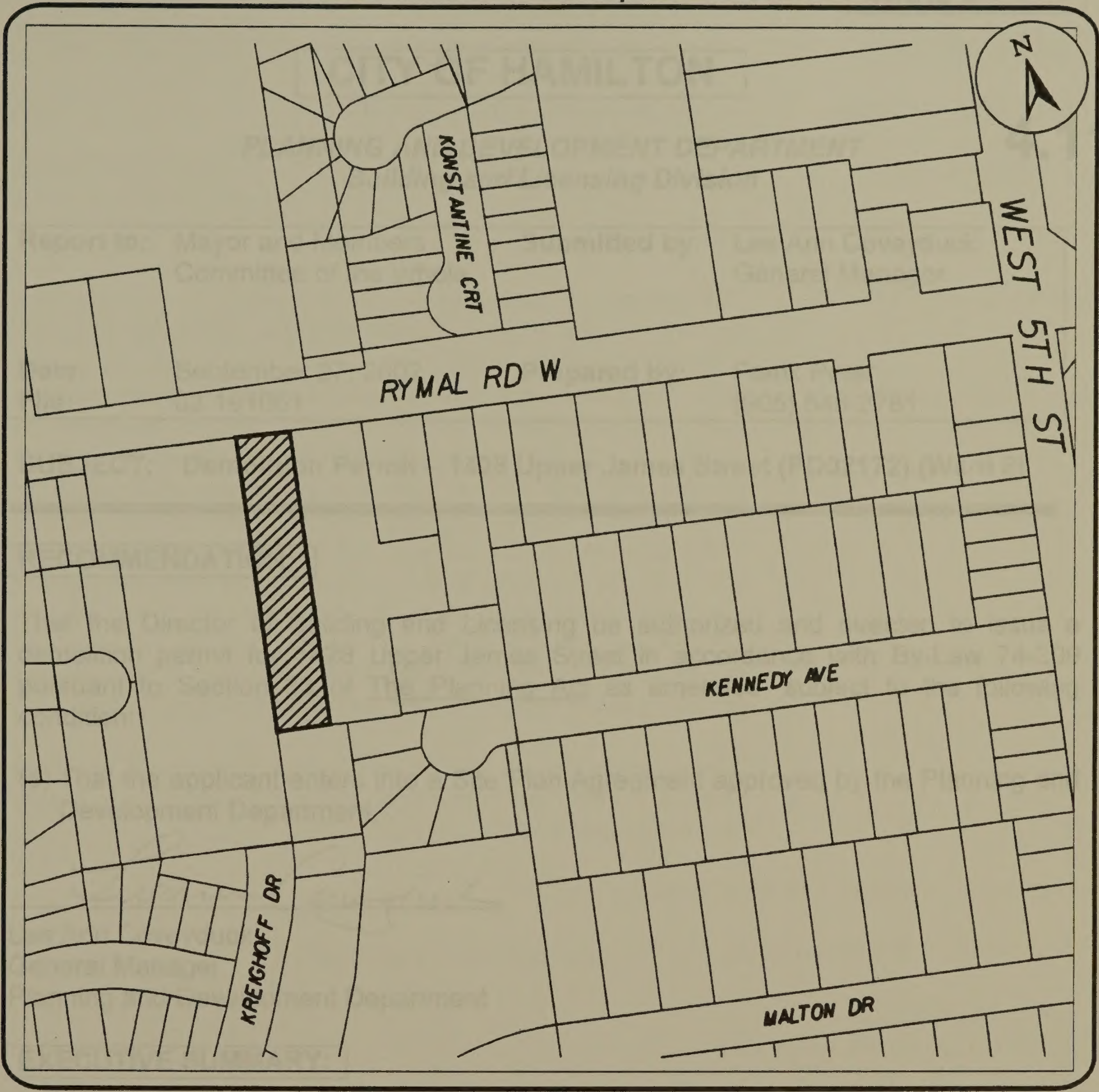
N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment 'A' to Report PD02170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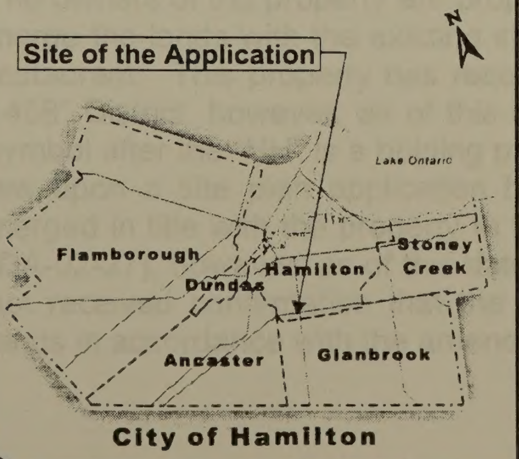
KONSTANTINE CRT
WEST 5TH ST
RYMAL RD W
KENNEDY AVE
KREIGHOFF DR
MALTON DR


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
173 Rymal Road West

Filename/number
PD 02170

Date
Sept. 18, 2002

Technician:
MC

Map Not to Scale

Appendix "A"

AFFECTS
WARD 8

CITY OF HAMILTON

4.11

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	September 27, 2002 02 191061	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 1428 Upper James Street (PD02172) (Ward 8)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 1428 Upper James Street in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended, subject to the following condition:

(a) That the applicant enters into a Site Plan Agreement approved by the Planning and Development Department.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owners of the property are proposing to demolish the existing single family dwelling, merge the lands with the existing shopping plaza to the north and construct a new KFC restaurant. This property has recently been rezoned from residential to an "HH"-"H/S-1458" District, however, as of this date, the rezoning is not final and binding. The "H" symbol after the "HH" is a holding provision, which shall be removed by an amending by-law upon a site plan application being obtained by the owners and the lands being merged in title with the property to the north. There is a Site Plan application submitted (DA-02-27), however, as of this date, is not finalized. Furthermore, this Department has not received confirmation that the lands have been merged in title with the adjoining lands in accordance with the amending by-law.

BACKGROUND:

PRESENT ZONING: HH-“H”/S-1458 Not Final (Map W-9C)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Restaurant

BRIEF DESCRIPTION: The owners of the property are proposing to demolish the existing single family dwelling, merge the lands with the existing shopping plaza to the north and construct a new KFC restaurant. This property has recently been rezoned from residential to an “HH”-“H”/S-1458 District, however, as of this date, the rezoning is not final and binding. The “H” symbol after the “HH” is a holding provision, which shall be removed by an amending by-law upon a site plan application being obtained by the owners and the lands being merged in title with the property to the north. A Site Plan application has been submitted (DA-02-27), however, as of this date is not finalized. Furthermore, this department has not received confirmation that the lands have been merged in title with the adjoining lands in accordance with the amending by-law.

These lands are in the Mewburn neighbourhood and are located in Ward 8. Please see attached location map shown as Attachment A to Report PD02172.

No LACAC interest. Lot size 30.48m x 45.72m

The owner of the property, as per the demolition permit application is:

Rencoast Holdings Inc.
1835 Yonge Street, Suite 300
Toronto, ON M4S 1X8

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

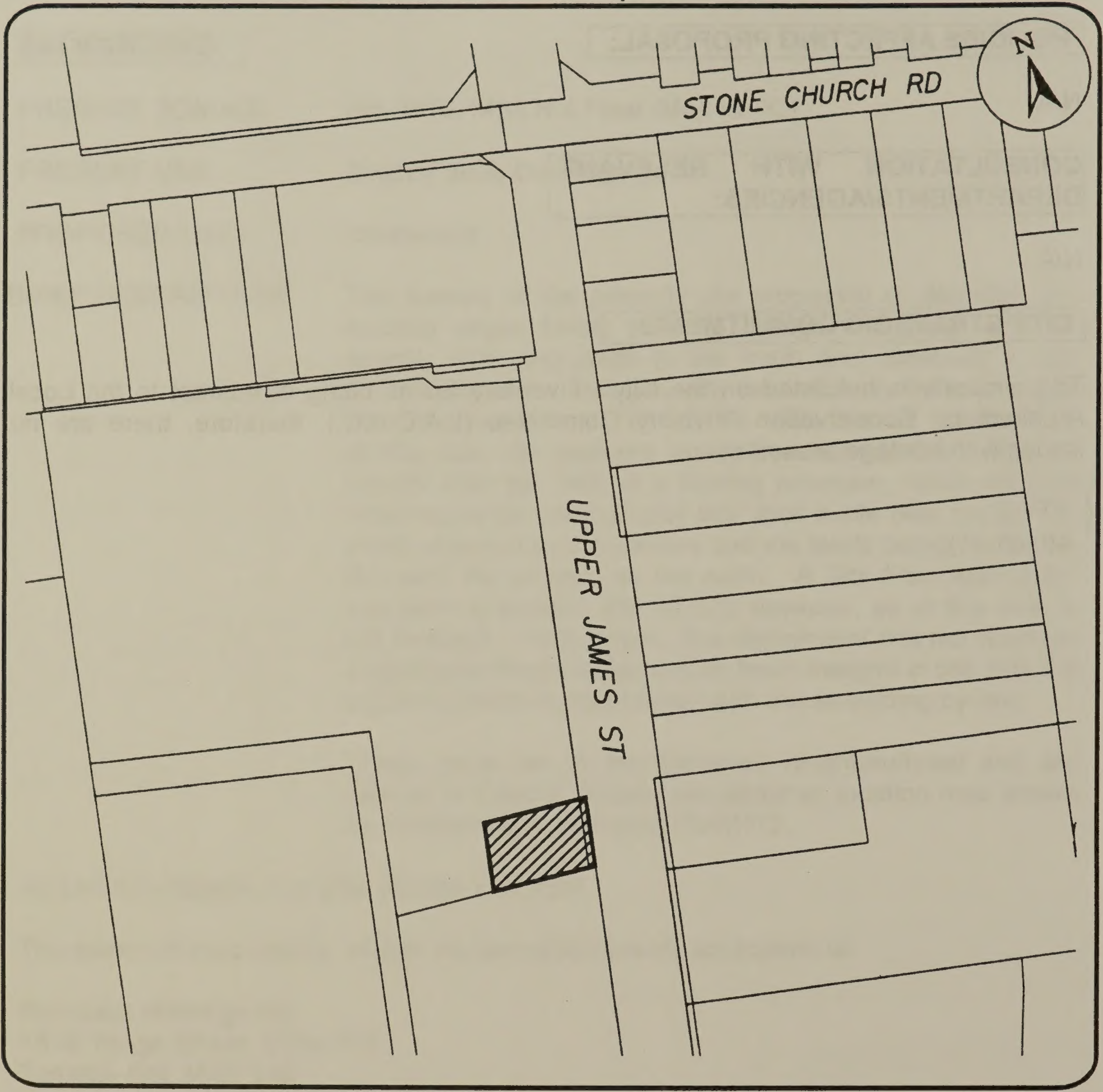
N/A

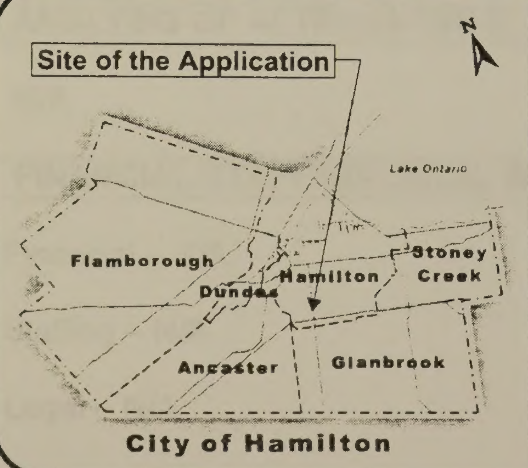
CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment 'A' to Report PD02172


STONE CHURCH RD
UPPER JAMES ST
N


N
Site of the Application
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
1428 Upper James Street

Filename/number	*PD 02172*
Date	*Sept. 18, 2002*
Technician:	*MC*
Map Not to Scale	
Appendix "A"	

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.12

COMMUNITY SERVICES
Parks Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Wiilliam E. Fenwick, Acting General Manager
Date:	September 30, 2002	**Prepared by:**	Alan Dore, ext. 4334 Peter Christie, ext. 6198

SUBJECT: **Naming Policy for Public Parks, and Recreation Facilities (CS02088) (City Wide)**

RECOMMENDATION:

That Council approve the Naming Policy for Public Parks and Recreation Facilities, attached hereto report CS02088 as Appendix A.

William E. Fenwick, Acting General Manager
Community Services

EXECUTIVE SUMMARY:

The approval of the proposed policy for the naming of public parks, gardens, trails, and buildings will provide a consistent, open, and streamlined approach for application across the new city.

BACKGROUND:

At present, there are various policies and guidelines in place within the various districts of the City of Hamilton, which regulate the naming of parks, gardens, trails, and buildings. The application of each of these policies is limited to the geographic region representing the former area municipality in which each by-law was enacted. While there are similarities from community to community, there are also significant differences with respect to operating procedures which tend to create an unacceptable state of procedural disorder and confusion for staff and residents alike.

The creation of a single policy in force throughout the new City of Hamilton will provide benefits of administrative efficiencies, superior customer service, less confusion for the public, and most importantly, a set of uniform guidelines by which parks, and like facilities are named.

Under the proposed policy, priority shall be given to those names making reference to geographical or environmental features, or for the contributions of citizens and/or individuals who have had a significant impact on the community. Further consideration will be given to those names recognizing a twin-city or a significant event or program involving another municipality, or to a name that recognizes those individuals, organizations, businesses, and corporations who have made a substantive contribution of land, money, or services in kind, or where corporate or private sponsorship support is of a substantive nature and has been donated in accordance with the Corporate Donations Policy, in return for consideration of name recognition for a particular location or facility.

The proposed policy also provides for a formal application process Invlolving written justification for the proposed name and requiring Council's endorsement.

ANALYSIS OF ALTERNATIVES:

Alternatives of either the status quo, or no policy at all, will not realize the benefits of administrative efficiencies, superior customer service, less confusion for the public, and most importantly, a set of uniform guidelines by which parks, and like facilities are named.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial, staffing, or legal implications associated with this recommendation.

POLICIES AFFECTING PROPOSAL:

This proposed policy would replace the existing Park Naming Policies of the former municipalities with a "Naming Policy" for Public Parks, and Recreation Facilities.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Planning and Development, Parks, Design and Construction, Culture and Recreation Divisions, and the Parks Staff Advisory Committee were consulted in the preparation of this report.

CITY STRATEGIC COMMITMENT:

The main objective of this policy is to promote community identity, and our cultural and natural heritage as reflected in the naming of our public parks and recreational facilities etc. and to encourage public participation and involvement in community affairs.

APPENDIX A

THE CITY OF HAMILTON

COMMUNITY SERVICES DEPARTMENT
PARKS DIVISION

POLICIES & PROCEDURES

POLICY NO:

SUBJECT: Naming Policy for Public Parks and Recreation Facilities

ELIGIBILITY:

This Policy is intended to provide consistent criteria and process for the selection of Names for Public Parks and Recreation Facilities in City of Hamilton. The criteria reserves first preference for those names making reference to geographical or environmental features, or for the contributions of citizens and/or individuals who have had a significant impact on the community.

Park Naming Guidelines
The guidelines established for naming parks etc. are listed in descending order of preference:

1(a) A name that identifies the location or a unique characteristic of the community. These may include but not be limited to the following:

- i. A neighbourhood reference (i.e. Durand Park, Huntington Recreation Centre, Lakepoint Park, Meadowlands Soccer Pit)
- ii. A street reference (i.e. Tom Street Park, Carson Drive Park, Paramount Park, Little John Park)
- iii. A noteworthy physical, environmental or scenic quality (i.e. Bayview Park, Cliffview Park)
- iv. Proximity to a recognizable facility or area (i.e. Hill Park Recreation Centre - which is located adjacent to Hill Park Secondary School)

1(b) A name that recognizes a historical event which has Citywide impact or significance. Examples include Commonwealth Square, Coronation Park, Battlefield Park.

1(c) A name that recognizes an individual, family, or object having some historical connection to the site (i.e. original landholder, past community name etc.) An example would be Gage Park.

2. The naming of a public place or facility after an individual or recognized Organization that has made a significant contribution to the community, to the City, to the Province or to the Nation. The following conditions apply:

- i. The reputation and contribution of the honouree must be well documented and broadly acknowledged as benefiting the City, the Province, or the Country. Examples include Sam Lawrence Park, T.B. McQuesten Park, Joe Sams Park, John Prentice Park, Leslie B. Couldrey Park, Lawrence P. Sayers Park, James Smith Park.
- ii. To the extent where possible, a direct relationship should exist between the individual and the feature being considered for name recognition. Sport personalities should be linked with their area of athletic endeavour. An example is Jimmy Thompson Memorial Pool.
- iii. In the case of an elected official or civil servant, they must be retired from public service to be eligible. An example would be Copps Coliseum.

must be obtained from all parties involved prior to consideration and review by the department. In the case of a deceased individual, recognition shall only be considered with the approval of the next of kin, prior to consideration and review by the department.

3(a) A name that recognizes those individuals, organizations, businesses, and corporations who have made a substantive contribution of land, money, or services in kind, or where corporate or private sponsorship support is of a substantive nature and has been donated in accordance with the Corporate Donations Policy, in return for consideration of name recognition for a particular location or facility. It will be the decision of Council as to what constitutes a "substantive contribution/donation".

3(b) A name that recognizes a twin-city or a significant event or program involving another municipality. An example is Shawinigan Park.

Submission Process

Proposed park names are either:

1. Specific to a particular park site (as in the case of the development of a new park or the renaming of an existing park)

2. Generic park names not related to a specific site

All parties wishing to propose names for parks, gardens, trails, or public buildings must submit a completed application form (available in hard copy or online) to the General Manager of the Community Services Department providing sufficient information as to how the proposed name satisfies the criteria of the park naming guidelines. Adequate historical or descriptive information shall be provided to validate the proposed name, that staff may have a clear understanding and appreciation for the request.

Proposed names that are not site specific, but are generic in nature, will be kept on file on an on-going basis to create an inventory of available names. A masterlist of available names will be generated reserving first preference for those names, which justly satisfy the criteria of the park naming guidelines. The masterlist of available names will be made available to all departments in electronic format.

Name Selection Process

Where proposed names are site specific, staff shall undertake to weigh the significance of the proposed name against the guidelines for park naming, as well as against those names contained in the masterlist. The name that best satisfies the criteria outlined in the guidelines for park naming will be selected.

Staff will draft a recommendation report for circulation to the various divisions within Community Services Department, to the Ward Councillor, and to any Committees who may have vested interest or involvement with the site. These groups will be provided with the opportunity to review and comment on the recommendation.

If appropriate, the report will be forwarded by the Community Services Department to City Council for their approval.

The naming of all parks, gardens, trails, and public buildings in the City of Hamilton must receive final approval from City Council.

Renaming of Existing Parks

The renaming of existing parks, gardens, trails, and public buildings in the City of Hamilton will be at the sole discretion of Council and must adhere to the provisions contained in the guidelines for park naming.

GENERAL MANAGERS APPROVAL: ____________________

APPROVED DATE: ____________________

REVISED DATE: ____________________

CITY WIDE IMPLICATION

CITY OF HAMILTON

4.13

Finance & Corporate Services
Revenue Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager, Finance & Corporate Services
Date:	October 1, 2002	**Prepared by:**	Frank Carrocci, Director of Revenues - (905-546-2058)

SUBJECT: Hamilton Port Authority Taxation FCS02060 - (City Wide)

RECOMMENDATION:

That report number FCS02060 be received for information.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

Prior to the establishment of the Hamilton Port Authority, the City of Hamilton was not receiving taxes on lands owned by the Hamilton Harbour Commission, with the exception of those properties that were leased to Commercial tenants. The former Commission was not subject to taxes (or payments in lieu of taxes) on lands owned by it and used for its purposes.

The new Hamilton Port Authority is now subject to a revised set of rules under the Federal "Payments in Lieu of Taxation" Act (PILT), and must now make payments in lieu of taxes (PILTs) to the Municipality for lands owned by it. These new rules are estimated to yield taxes on Port Authority lands for the new PILTs totalling $744 thousand for 2002, and $475 thousand for 2001 (applicable for 8 months at 75%). While this benefits the City, the Port Authority is still not paying taxes on its full assessment as a result of specific exemptions provided by the Federal legislation.

BACKGROUND:

Beginning in 2001, the Hamilton Port Authority was formed under Federal Charter. The newly created Authority is now subject to the same rules as other Federal properties in relation to making payments in lieu of taxation (PILTs) to the City.

ANALYSIS OF ALTERNATIVES:

The new Port Authority is subject to making PILTs on lands it owns, as opposed to the former Harbour Commission which was assessed as exempt and therefore not subject to taxation or PILTs. The following is a summary of the Authority's land holdings and assessments:

Description	Acres	Assessments
Bldg - Occupied by HPA	0.43	497,740
Bldg - Vacant	0.15	1,631,824
Commercial Waterlot	68.80	317,272
Confined Disposal Area	35.00	-
Lake Bed	2,797.84	3,351,674
Land - Fill	15.50	380,333
Land - Occupied by HPA	2.56	146,197
Land - Public Road Ways	27.83	-
Land - Unserviced	17.10	429,000
Land - Vacant	116.77	5,976,349
Yardwork - Exempt	-	19,703,688
TOTAL PILTs	**3,081.98**	**32,434,079**
Tenanted Property - Pay full taxes at normal rates	247.54	45,520,776
TOTAL	**3,329.52**	**77,954,855**

The City will now be receiving $744 thousand per year (based on 2002 estimate) for property which was formerly exempt and not subject to taxation. This is in addition to the taxes paid on tenanted property (approximately $3 million Industrial and Commercial taxes) valued as $45.5 million as noted above.

Payments in Lieu of taxes are subject to the Municipal Grants Act, and applications must be made to the Public Works Canada prior to payment. The Federal Government has established country-wide policies on assessments that it is willing to make payments on, regardless of how the Provincial assessments are calculated. Specific to the Hamilton Port Authority, Public Works Canada will not make PILT payments in regards to the lakebed, yard-works docks, wharfs, piers, and any roadways that it deems the public access to. If payments were made based on the full-assessed value of these works the City would receive approximately $2.3 million in PILTs.

The grant request submitted is based on the full-assessed value as delivered to the City by the Provincial Assessment Corporation, and the Federal Legislation provides for an appeal process where payments fall short of its provisions. Schedule II to the Federal legislation specifically provides for exemptions as noted above.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

With the establishment of the new Hamilton Port Authority, the City is now receiving for the first time PILTs as well as the transfer of ownership of eight properties to the City. While the City is now receiving additional revenues through payment of PILTs, the potential to increase these is considerable if the Federal Government were to make payment on the full-assessed values. The Federation of Canadian Municipalities has been lobbying to improve the position of host Municipalities governed by this legislation.

POLICIES AFFECTING PROPOSAL:

Federal policies in relation to PILTs to Municipalities are now applicable to the properties owned by the new Hamilton Port Authority.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

City staff have been working with the Municipal Property Assessment Corporation, the Hamilton Port Authority, and the Federal Government in relation to establishing the assessed value for the Port Authority properties which are now subject to PILTs.

CITY STRATEGIC COMMITMENT:

The new tax regime that is applicable to the Hamilton Port Authority assists in maintaining a fairer and more equitable distribution of the total tax levy. The Authority is now making tax payments on assessment that was previously exempt.

AFFECTS
WARD 11

CITY OF HAMILTON

4.14

PLANNING AND DEVELOPMENT DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	September 27, 2002	**Prepared by:**	Ken d'Andrade
File:	SV-02-03		(905) 643-1262, Ext. 324

SUBJECT: Minor Variance from the Provisions and Regulations of Sign By-law No. 3042-89, as Amended, a By-law "To Regulate the Size, Use, Location and Maintenance of Signs and Advertising Devices Within the City of Stoney Creek" (PD02202) (Ward 11)

RECOMMENDATION:

That approval be given to **Sign Variance Application SV-02-03, Imperial Oil Limited, Owner**, for a minor variance under Section 10. a) of the City of Stoney Creek Sign By-law No. 3042-89, as amended, for signage at 249 Upper Centennial Parkway, in the former municipality of Stoney Creek, as shown on Appendix "A" to Report PD02202, allowing the combined area of two (2) signs on the architectural elevation of the building to be 15 sq.m., whereas 9.5 sq.m (15%) is permitted, and allowing one (1) of those signs to project 1.5m beyond the wall to which it is affixed, whereas only a 0.6m projection is permitted.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Imperial Oil, the owners of the subject lands, is redeveloping an existing gasoline station on the south-west corner of Upper Centennial Parkway and Mud Street. Through the site plan review process, it was determined that the proposed signage does not comply with the applicable Sign By-law. By approving this application, the standard prototypical signs for an Imperial Oil gasoline station, with convenience store and Tim Horton's Drive Thru, will be permitted.

BACKGROUND:

Imperial Oil has made application for Site Plan Approval (DA-02-94), as they wish to update and improve a rather dated gasoline station. The new plan includes a gas/convenience store and a Tim Horton's Drive Thru (see Appendix "B"). As part of the Site Plan submission, sign details were submitted. The signs proposed are standard prototypical signs found on Imperial Oil (ESSO) and Tim Horton's sites. However, the Sign By-law (By-law No. 3042-89, as amended) does not permit the total sign area of all wall signs on any one (1) architectural elevation to exceed fifteen percent (15%) of the area of the architectural elevation and would not permit the sign to project further than 0.6m from the wall face. The "On the Run" sign, located on the front façade of the convenience store, creates the infractions (see Appendix "C").

According to Section 10 of the Sign By-law, the owner, or agent, can apply to "the Council of the City for a variance from the provisions and regulations of this By-law."

ANALYSIS OF ALTERNATIVES:

Imperial Oil could redesign their standard signage for the subject lands.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A.

Staffing – N/A.

Legal – Section 210, Paragraph 146, Clause (g) of the Municipal Act states that "The Council may, upon the application of any person, authorize minor variances from the By-law passed under this paragraph if, in the opinion of Council, the general intent and purpose of the By-law are maintained."

POLICIES AFFECTING PROPOSAL:

N/A.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Building and Licensing Division outlined the required variances to the Sign By-law.

CITY STRATEGIC COMMITMENT:

The subject property is within the defined urban area. No adverse impacts with respect to economic, social, health and environmental issues have been identified with this application.

COMMENTS:

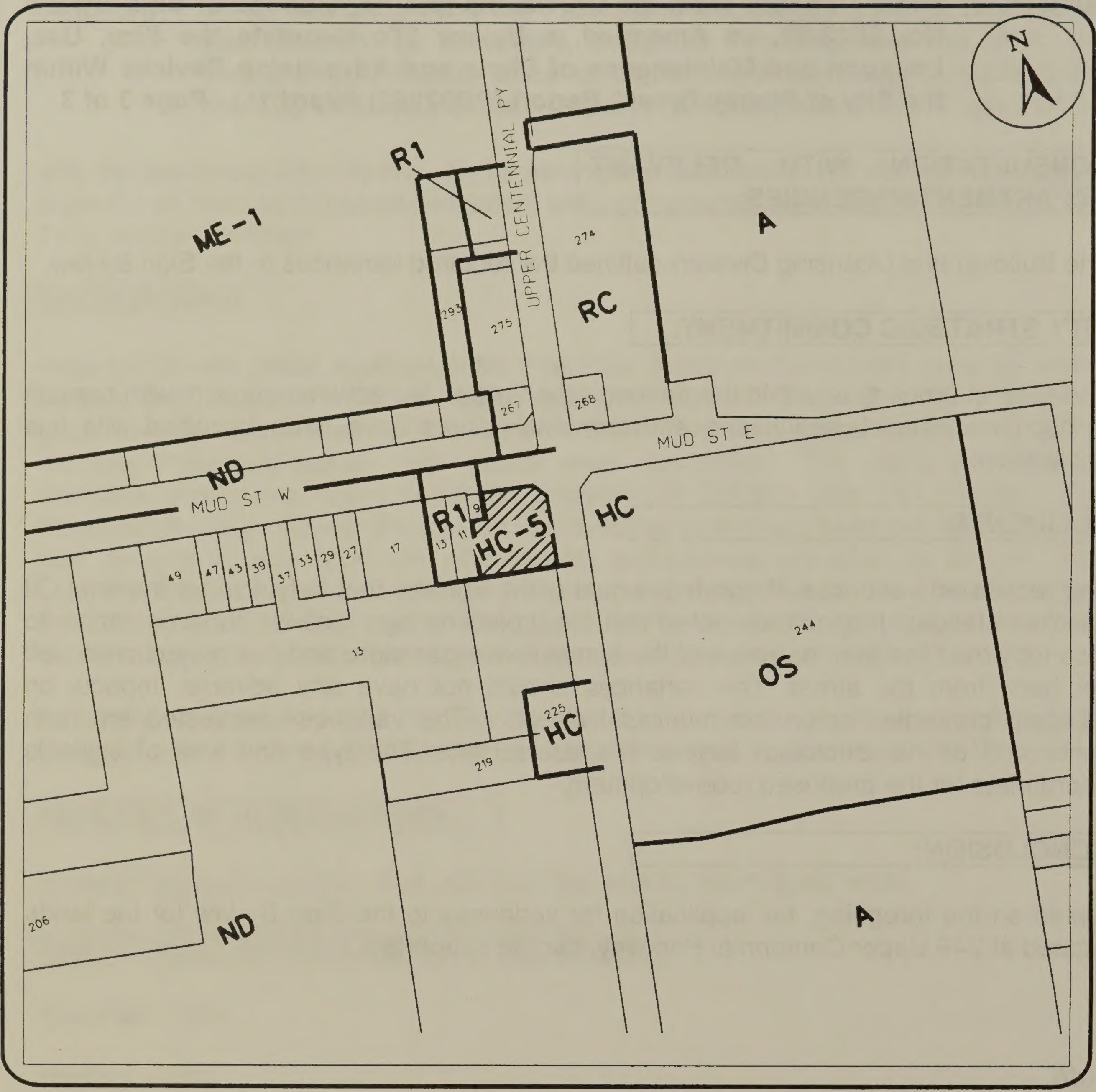
The requested variances, if granted, would allow signage that is typical for imperial Oil gasoline stations. It should be noted that the projecting sign face will function similar to a canopy over the front entrance of the convenience/gas store and this projection is well set back from the street. The variances should not have any adverse impacts on adjacent properties or on the municipal streets. The variances requested are both minor and do not encroach beyond the subject site. The type and size of signs is appropriate for the proposed redevelopment.

CONCLUSION:

Based on the foregoing, the application for variances to the Sign By-law for the lands located at 249 Upper Centennial Parkway, can be supported.

:KdA
Attachs. (3)

Appendix "A" to Report PD02202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ME-1
R1
UPPER CENTENNIAL PY
274
A
293
275
RC
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268
MUD ST E
ND
MUD ST W
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9
HC-5
HC
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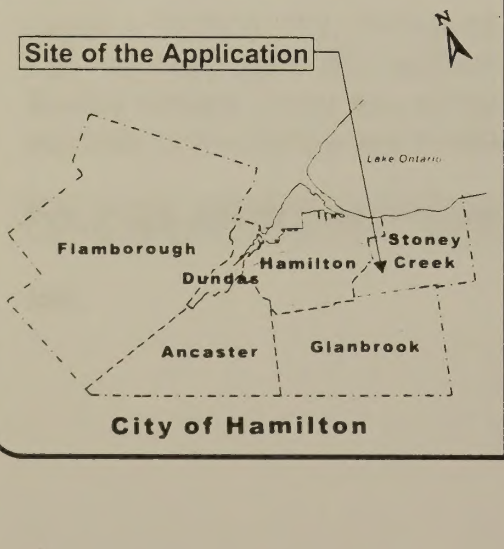
OS
225
HC
219
206
ND
A


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

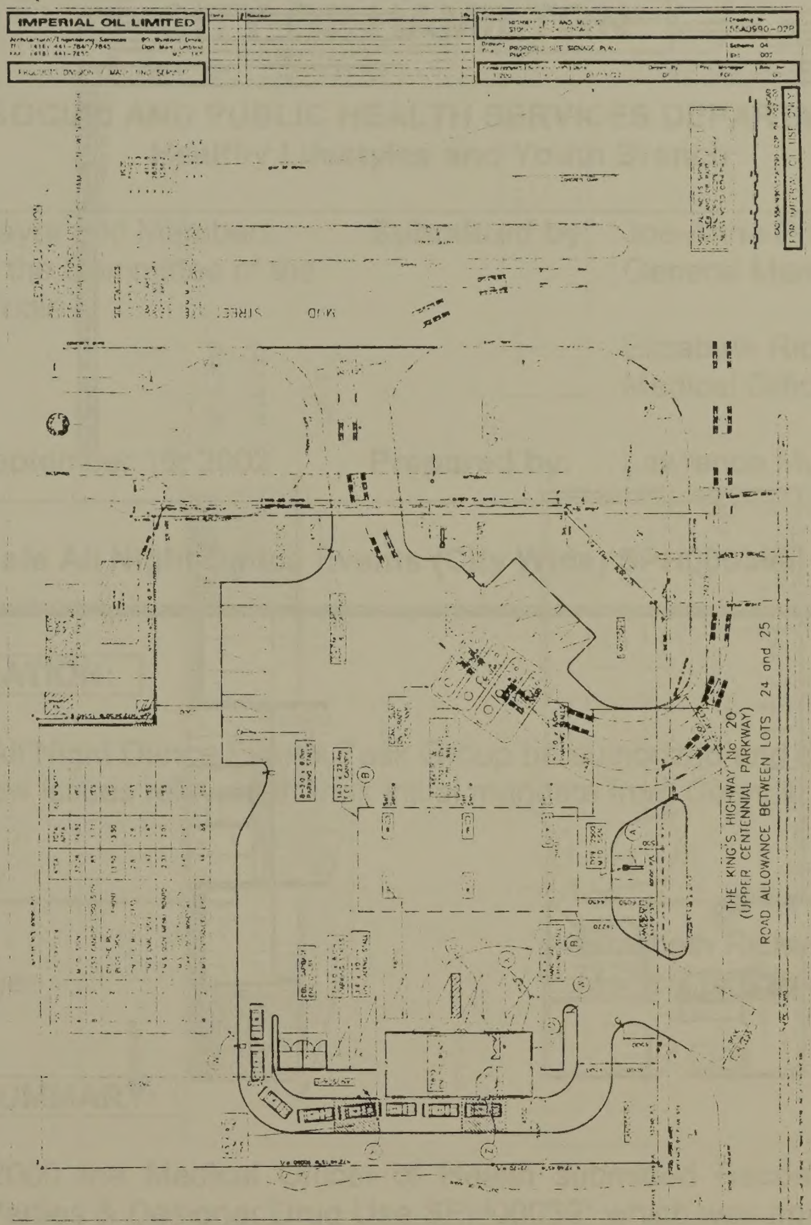
▨ **Subject Property**
249 Upper Centennial Parkway

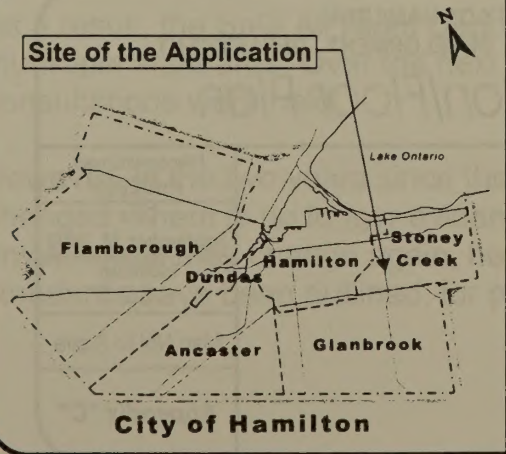
Filename/number	***Pd02202***
Date	***September 19, 2002***
Technician:	***LC***

Map Not to Scale

Appendix "A"

Appendix "B" to Report PD02202


IMPERIAL OIL LIMITED
PROPOSED SITE SIGNAGE PLAN
MUD STREET
THE KING'S HIGHWAY No. 20
(UPPER CENTENNIAL PARKWAY)
ROAD ALLOWANCE BETWEEN LOTS 24 and 25


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

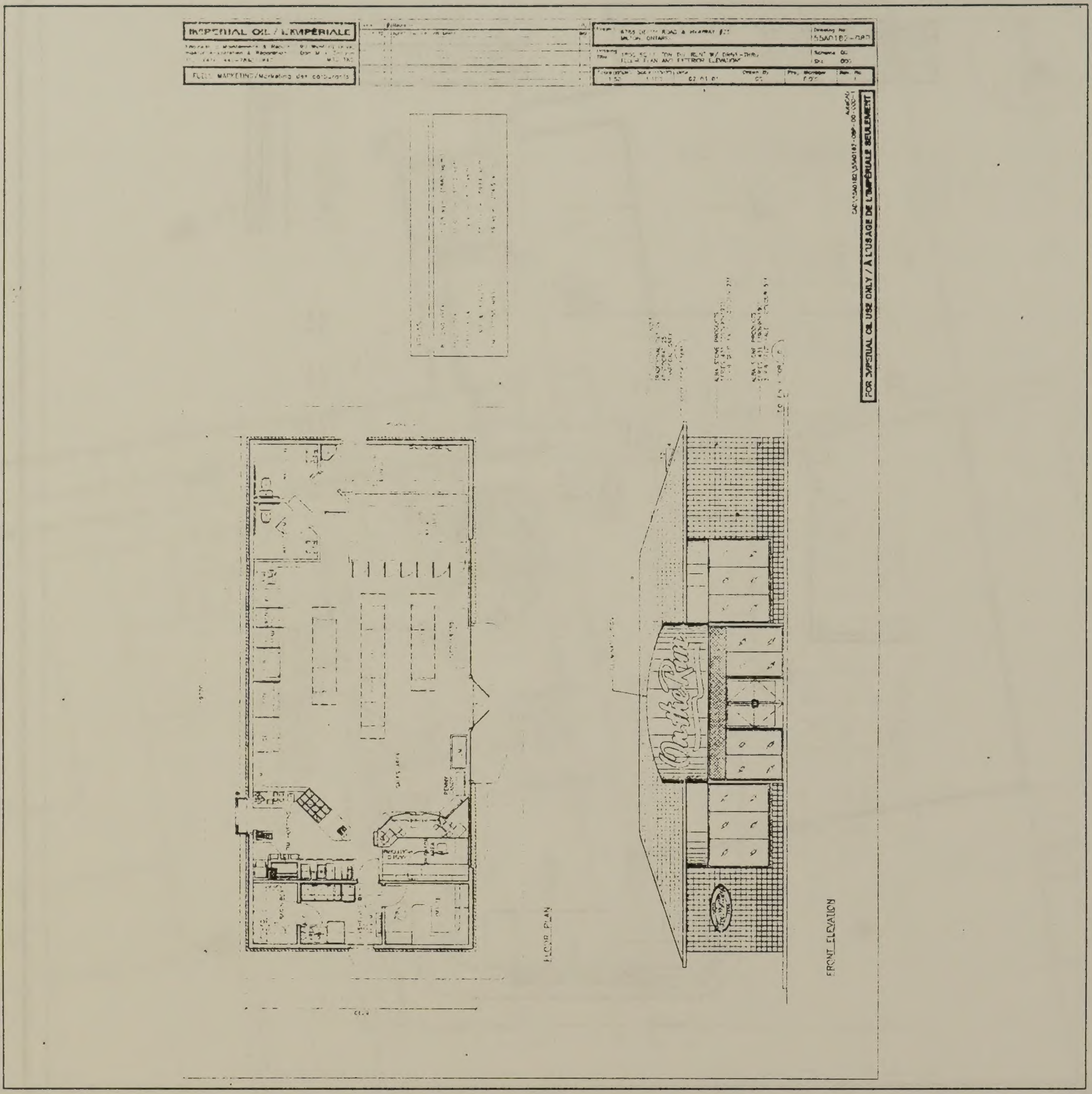
Site Plan

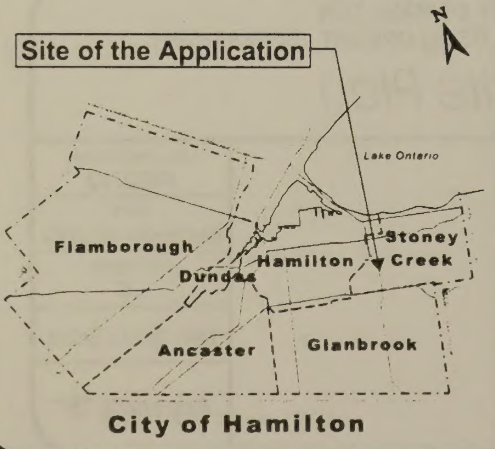
Filename/number	Pd02202
Date	September 19, 2002
Technician:	LC

Map Not to Scale

Appendix "B"

Appendix "C" to Report PD02202


IMPERIAL OIL / L'IMPÉRIALE
FOR IMPERIAL OIL USE ONLY / À L'USAGE DE L'IMPÉRIALE SEULEMENT
FLOOR PLAN
FRONT ELEVATION


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Elevation/Floor Plan

Filename/number	***Pd02202***
Date	***September 19, 2002***
Technician:	***LC***
Map Not to Scale	
Appendix "C"	

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.15

SOCIAL AND PUBLIC HEALTH SERVICES DEPARTMENT
Healthy Lifestyles and Youth Branch

Report to:	Mayor and Members of the Committee of the Whole	**Submitted by:**	Joe-Anne Priel, General Manager and Elizabeth Richardson, Medical Officer of Health
Date:	September 16, 2002	**Prepared by:**	Lawrence Murphy 546-3509

SUBJECT: **Safe All Night Dance Events (City Wide) SPH00039a)**

RECOMMENDATION:

That the Safe All Night Dance Events Task Group be authorized and directed to continue to meet to review issues relevant to their initial mandate from Council.

Joe-Anne Priel
General Manager

Elizabeth Richardson
Medical Officer of Health

EXECUTIVE SUMMARY:

On April 17, 2000 the Medical Officer of Health submitted Recommendation Report "Rave Dance Parties & Designer Drug Use SPH00039" which was approved by Regional Council.

As a result, the Safe All Night Dance Events (SANDE) Task Group was struck to develop municipal standards. Over the next two years research was conducted and various consultations were held.

However, in the two years since the Task Group was struck, the environment has changed. There is no longer evidence of all night dances occurring in Hamilton. The environment may change again, hence recommendation (b) noted above. Municipal standards have been outlined, for potential future use, and are listed in Appendix A.

BACKGROUND:

The recommendations contained within this report have city-wide implications.

SANDE Task Group activities to date have included:

- Review of relevant literature
- Seven formal consultations with the public, professionals, parents, rave community members and high school principals
- Establishment of an interactive website
- Meeting with Chief Robertson to share ideas and discuss concerns
- Discussions with appropriate contacts in other municipalities
- Development of municipal standards and recommendations

ANALYSIS OF ALTERNATIVES:

The SANDE Task Group recommends that no by-law be established at this time and that the Task Group be authorized and directed to continue to meet.

Council could choose to proceed with a by-law. There would be costs associated with establishing a licensing by-law including staff time to develop the by-law and to review applications for a license. However, given that these events are not now taking place in Hamilton, the Task Group does not believe that a by-law is necessary.

Council could choose not to proceed with a by-law and further decide not to authorize and direct the SANDE Task Group to continue to meet. However, it is possible that large all night dances might once again become popular in Hamilton. The SANDE Task Group has developed expertise in this area over its mandate. Meeting semi-annually would ensure that these events were monitored and enable the City to respond in a timely manner to the relevant health and safety concerns.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

There are no financial implications for Council accepting these recommendations.

Staffing

Staff currently committed to the SANDE Task Group would be required to continue to meet.

Legal

A municipality has the authority to pass by-laws requiring the licensing of various types of businesses, if it so chooses, including one-time events such as all-night dance events.

POLICIES AFFECTING PROPOSAL:

This proposal has no implications for existing City policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following outside agencies have been consulted:

- The Centre for Addiction and Mental Health
- Alternatives for Youth
- McMaster University Student Health Services
- Mohawk College
- Redeemer College
- Toronto Dance Safety Committee
- The Party People Project
- Out of Hand/Metro Productions
- Hamilton-Wentworth District School Board High School Principals
- Sexual Assault Centre (Hamilton and Area)
- Northwest Protection Services, Toronto
- Licence Unit, Development Compliance Branch, Edmonton
- Grande Prairie Enforcement Services, Grande Prairie, Alberta
- Ottawa Police Services
- By-Law Services, Ottawa
- Vancouver Police Department
- Municipal Licensing and Standards, Toronto

The following City of Hamilton Departments have been consulted:

- Social and Public Health Services
- Ambulance and Emergency Medical Services
- Police Services
- Fire Services
- Legal Services
- Building and Licensing
- Communications
- Roads and Traffic
- HECFI

CITY STRATEGIC COMMITMENT:

This proposal supports the City's Strategic Commitment as follows:

Our Vision:
The City of Hamilton is a safe, healthy, sustainable community and a great place in which to work, live and play, that offers residents and businesses growth and opportunity.

Our Goals:
2. "A Healthy Safe and Green City"

f) Public Safety for the Community, with the Community - "Council will work for and with the community to improve the safety of all residents."

Visions 20/20:

Goal: "To increase the number of years of good health for all citizens by reducing illness, disability, and premature death."

SECTION 5

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

5.1

Social and Public Health Services Department

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joe-Anne Priel General Manager
Date:	September 27, 2002	**Prepared by:**	Andrea Hodges 2181 Kate Feightner 3835 Carmen Bian 2187 Jane Soldera 2399

SUBJECT: Social Development Strategy: Vision and Next Steps (SPH02001a) (City Wide)

RECOMMENDATION:

(a) That Council endorse the Vision portion of the Social Development Strategy document entitled A Social Vision for the New City of Hamilton.

(b) That Council direct Social and Public Health Services, during 2003, to develop the Social Development Strategy work plan in consultation with key community partners and stakeholders.

(c) That the 1.5 FTE staffing resource, and the related costs ($102,295), required to co-ordinate the Strategy be referred to the 2003 Tax Budget process for consideration and possible implementation.

Joe-Anne Priel, General Manager
Social and Public Health Services

EXECUTIVE SUMMARY:

The field of social development has evolved substantially over the past decade. A social development strategy is an important tool for clarifying key issues, the goals to be accomplished and the strategies by which they can be achieved. A Hamilton Social Development Strategy should:

1. Align roles and resources and reflect local priorities;
2. Identify leads, actions and outcomes;
3. Help shape policy;
4. Be used to facilitate decision-making about priorities and funding shifts to meet current and future needs; and
5. Reduce overlap/duplication and improve results.

The Social and Public Health Services Department, with support from the Senior Human Services Managers Group[1], is pleased to have engaged the Caledon Institute of Social Policy in the development of a Social Vision for Hamilton. This is the first important step towards developing and implementing a proactive social development strategy for the City of Hamilton.

Based on in-depth interviews with local key informants and a review of local strategic planning documents, the Caledon Institute has prepared a discussion paper that identifies some of the challenges facing the City of Hamilton. The paper (Please see the Vision and Flagship documents attached hereto and marked as Appendix A), is composed of two main sections; a social vision and associated flagship initiatives.

The first is the Vision. This is an overall view of Hamilton highlighting our assets and challenges in a general sense. This document is broad in its perspective and is meant as a starting point for discussion. A key element of the Vision is the notion that communities need both magnets and glue. 'Magnets' are those factors that attract external resources – such as new businesses and population growth – for example, a well-educated workforce and a vibrant business climate. 'Glue' represents the physical and social infrastructure that supports daily life and work. Roads, electricity and social networks and programs are the glue that promotes the social well-being and health of all members of the community. As Caledon describes, *"A 'world class' city is achievable only by addressing the needs of people at home. This means that it is not possible to create the magnets unless attention is paid to securing the glue."*

The second section of the Social Vision Document is the flagships. The Flagships are also broad in scope, but serve as potential examples of the broad concepts discussed in the Vision portion of the document. These strategies are only suggestions to begin to address some of the social challenges facing Hamilton, namely the areas of Children and Families, Skills Development and Affordable Housing.

The Caledon Social Vision document serves as a foundation for the development of a Hamilton Social Development Strategy. The City of Hamilton is well positioned to take the lead in spearheading a Hamilton Social Development Strategy. First, the City is putting into place several new strategic plans, such as the Economic Development Plan, and has adopted a bold set of values and goals in its City of Hamilton Strategic Plan. Addressing local social priorities will help to ensure Hamilton is a healthy and educated population – characteristics that attract investment. Secondly, it is becoming increasingly difficult for local governments, like Hamilton, to address the multitude of complex social challenges they now face. A social development framework and strategy will provide the City with the necessary tools to shift attention from responding primarily to federal and provincial social policy and funding initiatives to proactively beginning to plan and implement local approaches to the Social Development of this community.

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[1] This group consists of senior administrators from the following local human services agencies: Hamilton District Health Council, Social Planning and Research Council of Hamilton-Wentworth, Ministry of Community, Family and Children's Services, Hamilton Community Foundation, Human Resources Development Canada, United Way of Burlington, Hamilton-Wentworth, and New Trillium Foundation.

The City of Hamilton, as champion of the Social Vision, cannot undertake the implementation of a social development strategy on its own. The City needs partners and input from citizens to help guide the development of this work. They are vital assets in this process.

The second phase of this initiative, proposed to commence in 2003, will focus on significant developmental issues including roles and responsibilities, resource requirements, governance structure, public participation, priorities, monitoring, etc. A program enhancement of 1.5 FTE (at a cost of is ($102,295)) is requested to provide leadership and the co-ordination required to further develop and implement the Social Development Strategy (including leveraging of external sources of funding and in-kind contributions from partners).

Quarterly status reports to Committee of the Whole, beginning in March 2003, will provide members of Council with work plan updates and recommendations.

BACKGROUND:

Hamilton, as many cities across Canada, is facing a range of serious social concerns. For example, many Hamilton residents are living on low and unstable incomes or are at risk of falling into poverty or homelessness. It has become more difficult in recent years for local governments to confront the varied and complex challenges they now face.[2]

These difficulties have created a window of opportunity for local leadership and more concerted action. As the Caledon report points out, *"the City of Hamilton should take pride in the fact that we are a community of great wealth, endowed with a range of invaluable assets…. The challenge is to harness these assets in innovative ways to create new value and new solutions to our social concerns."* A Social Vision provides a coherent plan or strategy for advancing a social agenda for the Hamilton community. We need a framework for addressing the challenging social issues faced by the City in a systematic and systemic way.

In September 2001, a group of local human service managers held a one-day workshop to discuss and better understand the purpose and scope of a social development strategy. At that workshop, there was strong support amongst the Senior Human Services Managers group for the City of Hamilton to assume the leadership role for the development of a social development framework.

In early 2002, with the support of Council and the Human Services Managers Group, the Social and Public Health Services Department engaged the Caledon Institute of Social Policy in the development of a social development vision and framework for Hamilton (see SPH02001 on January 4, 2002). This was the first critical step in developing a social development strategy for Hamilton. Policy-specialists from the Caledon Institute spoke with a variety of key informants from a range of sectors in the

---

[2] Local indicator projects such as the FCM Quality of Life Reporting System project, SPHSD Social and Health Issues Report 2001, and the Social Planning and Research Council's Report Card on Homelessness in Hamilton, document these issues.

City. A review of local strategic documents was also undertaken. The culmination of findings from the interviews and document review is presented within the attached two-part document, A Social Vision for the New City of Hamilton (Appendix A).

The Caledon document is composed of two main sections; a social vision and associated flagship initiatives. The Vision section is an overall view of Hamilton highlighting our assets and challenges in a general sense. It is broad in its perspective and is meant as a starting point for discussion. The Vision begins with an extensive section on the rational for creating a Social Vision. Linked to that are sections on the City's assets, key goals, core values and operating principles of the document and finally a suggested plan for implementing the Vision. The final section of the Vision outlines the actions that will need to happen in order to implement this Social Vision. These actions include: creating ownership, raising awareness, building relationships, gathering information, setting goals and targets, taking action, monitoring progress, and listening and learning.

The second section of the document consists of the Flagships. The Flagships were drawn from discussions that individuals from the Caledon Institute had with a variety of key informants in the City (see Consultation with Relevant Departments/Agencies section). These Flagships are broad in their perspective, but also serve as tangible examples of the broad concepts discussed in the Vision portion of the document. These are only suggestions as to some of the pressing social challenges facing Hamilton these days, namely the areas of Children and Families, Skills Development and Affordable Housing, that could be worked on. The flagships are meant to be community-based, social development flagships and not municipal flagships. By no means are these intended to be a definitive or complete set of suggestions, but rather a starting point for discussion on where to go next.

The Social Vision document is a comprehensive and thought-provoking starting point. In order to move from the conceptual Vision to a more tangible and complete strategy our proposed focus in 2003 is on the development of an implementation plan. Consultation and planning with a range of key community partners, including and beyond the Senior Human Services Managers Group, and the public will be required in order to answer the following key questions:

ROLES & RESPONSIBILTIES: With whom and where do roles and responsibilities for the implementation of the Social Development Strategy fall?

PARTNERS: Who are the champions and key partners in this initiative?

RESOURCES: What resources will we need to implement this strategy? And what are potential funding sources and in-kind contributors?

GOVERNANCE STRUCTURE: What is the governance structure going to look like? How will we coordinate our efforts? How might the City of Hamilton Volunteer Co-ordinating and Advisory Committees participate?

COMMUNITY PARTICIPATION: How can we most effectively and meaningfully engage the residents of the City of Hamilton in the development and implementation process?

FLAGSHIPS: With respect to the flagships: Are the three areas of focus (children and families; affordable housing; skills development) an appropriate place to start? What flagships and activities should take priority?

LINKAGES: What other major City and Community initiatives exist that we can link with? How do we ensure these initiatives remain complementary and collaborative where common goals are identified?

MONITORING: What process will we use to monitor and report back on our progress both to Council and the Community?

These questions are echoed in actions suggested within the Vision document. SPHSD staff have done some preliminary exploration of these issues with other City Departments (see Consultation with Relevant Departments section).

Realizing the Vision of a social development strategy is a long-term process. The second phase, proposed to commence in 2003, will focus on significant developmental issues as outlined in the key questions above. Upon approval of City Council, staff can provide quarterly updates on the status of phase two of this important initiative beginning in March 31, 2003.

ANALYSIS OF ALTERNATIVES:

Council's endorsement of this process would place Hamilton at the forefront of the Social Development arena in Canada and North America. It would also help to establish the Hamilton community as a leader in the field of human service delivery and positively impact on the health and social well-being of our local community.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial:

The development and on-going co-ordination of the Social Development Strategy will require an investment in staffing of $102,295 (1.5 FTE). It is recommended that Council refer this program enhancement request to the 2003 Tax Budget process for consideration and possible implementation.

Additional resource requirements and sources (including leveraging of external sources of funding and in-kind contributions from partners) will be identified and sought during 2003.

Staffing:

1.5 FTE is required to further develop and implement the Social Development Strategy. Consultation with key partners and the public are critical phases of the Strategy development. This staffing enhancement will ensure that the necessary consultation with key partners, key stakeholders and the public are completed in a timely and comprehensive manner. It will also provide staff support to future Volunteer Advisory

Committees (or alternative governance structures) that will be developed as a result of the implementation of the Strategy. Policy and planning support is also vital for the development of long-term plans for the Flagship initiatives that evolve from the Strategy.

Legal: N/A

POLICIES AFFECTING PROPOSAL:

There are a number of key strategic documents specific to Hamilton that will play an important role in the development and implementation of the Social Development Strategy for Hamilton. These include, but are not limited to, the City of Hamilton Economic Development Strategy, Vision 2020, the Culture and Recreation Master Plan, GRIDS and the Official Plan, HAHPI, HR Matters, the Early Years Start Smart report, etc. The intent of the Social Development Strategy is to reduce service delivery overlap and duplication, which will require a concerted effort by local government, organizations and groups to work together. The proposed Social Development Strategy does not involve a reinvention of the wheel, but a complementary and co-ordinating addition to what is currently already happening in Hamilton.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

A number of key informants from a variety of City Departments, community agencies and sectors were interviewed by Caledon in inform and guide the writing of the Vision and Flagships. Their time, insights and contribution to this work were invaluable. The following groups and agencies were represented: members of the Hamilton community, City Council, Hamilton District Health Council, Social Planning and Research Council of Hamilton-Wentworth, Ministry of Community, Family and Children's Services, Hamilton Community Foundation, Human Resources Development Canada, United Way of Burlington, Hamilton-Wentworth, New Trillium Foundation, Hamilton-Wentworth District School, Chamber of Commerce, Volunteer Centre of Hamilton, Action 2020, Hamilton-Wentworth Training Board, and the Citizen Action Group/Hamilton Help Centre/Youth Employment Centre.

Following the completion of the Caledon report two focus groups and two interviews were conducted with members and delegates of the City's Corporate Management Team and the SPHSD Management Teams. Their valuable feedback and suggestions have guided the content of this report as well as the identification of the key developmental issues for 2003.

CITY STRATEGIC COMMITMENT:

A Social Development Strategy for the City of Hamilton is in line with a number of the City's Strategic Commitments. It encompasses the values of Leadership, Innovation, Integrity, Respect, Compassion and Teamwork. While it meets a variety of the City's goals, helping to make Hamilton a great place to live, is where most connections occur. There is direct linkage to the goals of providing quality community services; supporting people in need, with care; involving young Hamiltonians; and contributing towards a sustainable community. The Social Development Strategy will also contribute towards the following City Strategic Commitments: developing partnerships for Hamilton with other levels of government; benchmarks and performance measurement; employer of choice; business and service excellence; and new opportunities for public input and volunteerism.

CALEDON

INSTITUTE OF
SOCIAL POLICY

A Social Vision for the New City of Hamilton

by

Sherri Torjman
Eric Leviten-Reid
Paul Heisler

September 2002

A Social Vision
for the New City of Hamilton

by

Sherri Torjman
Eric Leviten-Reid
Paul Heisler

September 2002

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Several sources of information contributed to the development of this Social Vision. It includes the findings of a wide range of reports prepared by various Hamilton groups and organizations. Interviews were conducted with selected key informants. The Vision also was based on a review of relevant literature and exemplary models from other communities.

A Social Vision

This Social Vision sees the new City of Hamilton as a *safe, healthy and caring community* which fosters a sense of belonging and pride. It is a *culturally rich and diverse community* which ensures that all citizens have access to opportunities and resources to meet their basic needs and promote their active participation. It is a *vibrant community* which promotes support for basic needs as well as inclusion and learning for all.

Vibrant communities ensure that basic needs are met. There is no individual or family without a roof over its head. No child goes to school hungry. No person suffers from abuse or violence without having a safe place to go.

Inclusion means that all members of a community are able to participate to the best of their ability. Inclusive communities remove more than just physical barriers. They remove the fiscal obstacles to participation and seek to engage citizens in meaningful ways.

Learning is concerned with opportunities for knowledge and skills development at all ages and stages of life. Learning communities also engage members in resolving complex social, economic and environmental challenges.

Appropriate social investments create the foundation for a strong competitive local economy. Vibrant communities create vibrant economies and societies.

Why Do This?

The purpose of a Social Vision is to identify the priority areas for investing in people and their neighbourhoods. Before spelling out the components of a Social Vision, it is important to explain why the City of Hamilton needs such a Vision and why City Council should take the lead in spearheading this work. Actually, there are several reasons.

The first has to do with the fact that City Council is putting into place a bold new Economic Development Plan. It promises to revitalize the Hamilton economy, which was hit hard in the 1990s by the loss of several manufacturing plants and many associated jobs. Profound technology shifts as well as international free trade agreements have transformed dramatically the way that many industries, both here and abroad, do business. The local economy is still adjusting to these structural changes.

The Hamilton economy did, in fact, gain substantial numbers of new jobs in 2000 and actually had better job growth relative to the rest of the province in that year. But the recent recession took a serious toll on the local economy. Many thousands of jobs were lost, wiping out nearly all the gains of the previous year.

The good news is that the City of Hamilton is on the rebound. Like other regions of the country, it has had to formulate very carefully the transition to a new economic base. It began this challenge by identifying the traditional and emerging clusters of the local economy: industrial/ manufacturing/port; agriculture; airport; health and biotechnology; information and communications technology; and film.

This framework for regional economic development is based on the recognition that healthy local economies are composed of industry clusters and their supporting economic infrastructure. 'Industry clusters' refer to interrelated, geographically concentrated sectors along with their key suppliers and supporting institutions. These industry clusters act as the drivers of local economies and have the potential to generate substantial employment.

The cluster-based approach also can have a positive impact upon social development. Research supported by the Office of Policy Development and Research of the US Department of Housing and Urban Development found clear links between the competitiveness of local businesses and poverty.

Sector-based economic development strategies that focus on low-income people and communities can be quite successful at fostering economic growth and increasing job opportunities for disadvantaged people. Research by Harvard Business Professor Michael Porter notes that economic opportunities can be generated in inner-city neighbourhoods by developing adjacent clusters.

But cluster-based development is about more than the creation of jobs. The cluster model contends that economic growth requires 'quality foundations,' which include the physical and social infrastructure of the community. Cluster-based development makes clear that economic progress is not possible unless attention is paid to skills development, social needs and the quality of life.

This model of economic development is consistent with the growing global recognition of the role of large urban centres as the engines of national economies. This recognition has created pressure for major cities to become 'world class' actors on the international stage. In order to survive in a competitive environment, cities need to attract investment and the best possible talent in the world. The City of Hamilton's Economic Development Department has been working with the Department of Human Resources Development Canada and the Hamilton-Wentworth Training Board in order to meet local human resource needs over the next two decades.

Cluster-based economic development is also consistent with the newly released National Strategy on Learning and Innovation, which notes the importance of social investment as a key element of innovative environments. The national strategy points out that investments in health and education, in particular, are important in their own right because they help Canada attract the highly qualified talent that drives innovation; workers and their families want to live in safe, clean communities with high-quality services. A healthy and educated population also attracts investment. A 'virtuous circle' is thereby created: Good economic policy creates the wealth to address social priorities that, in turn, fuel more innovation and economic growth.

Other important arguments that link economic and social factors are put forward in the book *World Class: Thriving Locally in the Global Economy* by Harvard Business Professor Rosabeth Moss Kanter. She argues that communities need both magnets and glue.

'Magnets' are the factors that attract a flow of external resources – such as new companies and people – to renew and expand skills, and contribute to the economic health of the region. Magnet factors typically include a healthy and well-educated workforce, clean environment, vibrant business climate, and solid social and cultural infrastructure.

She notes, however, that communities also need 'glue' to hold them together. In addition to the physical infrastructure that supports daily life and work – roads, sewers, electricity and communications systems – communities require social networks and programs to solve problems and promote the economic and social well-being of all their members. A 'world class' city is achievable only by addressing the needs of people at home. This means that it is not possible to create the magnets unless attention is paid to securing the glue.

Many cities in Canada have suffered significant job losses similar to the Hamilton experience. Like other communities, the region has seen a rise in 'nonstandard employment' – jobs that may be less than full time and that do not provide benefits like pensions, or health or dental coverage.

Throughout the country, and indeed the world, there has been a shrinkage of work in the middle-earnings range. The shift is partly the result of changing technology, with silicon chips replacing countless middle managers. Many middle-level positions also have been shed through downsizing. Job security may be a relic of the past but it is clearly having an impact upon families in the present.

The labour market has moved to extremes in yet another way: the growth of both long and short hours of work. Hours of work are increasing for some full-time workers who tend to have high incomes. At the same time, there is more part-time work, much of it involuntary and most producing low wages. Many workers find themselves on the good side or the bad side of this 'hour and earnings divide.'

As a result of profound changes to the labour market, most families now need two incomes in order to make ends meet. Many households cannot find enough hours of work to generate the income required to house and feed their families adequately. Most families are also experiencing a time crunch – which means less time for personal needs and interests, notably spending time with children and volunteering in the community.

All cities in Canada and indeed, throughout the world, have seen these changes. In this regard, the City of Hamilton is not alone. Nor is it alone in the fact that far too many citizens have low and unstable incomes or are at risk of falling into poverty or homelessness. Many single-parent families struggle to meet their needs without the appropriate supports. Far too many children are being removed from families because of abuse or neglect and are being taken into the care of child welfare agencies.

The signs of strain are evident across the country. For seven consecutive years, Canada was ranked first in the world according to the United Nations' Human Development Index; in 2001, it fell to third. In 1989, one child of every seven children in the country was poor. The House of Commons passed a unanimous resolution to eliminate child poverty by the year 2000. Ten years later, one in five – or 18.5 percent of all children – still lived in poverty.

Unfortunately, the child poverty rates for the City of Hamilton surpass the national average. At last count in 1995, the poverty rate for children aged 0-14 was 27 percent (25,400 children). Twenty-six percent of young people (or 15,310 individuals) between the ages of 15 and 24 were poor in that year.

The City of Hamilton has a higher rate of teen pregnancy than that for the province overall. While the City's Aboriginal community is relatively small with only several thousand members, nearly half are poor.

Forty-one percent of visible minority members lived in poverty in 1995. Although Hamilton has the fourth largest immigrant population in the country, the federal government has not designated the City as a major receptor site. New Canadians clearly are welcome because of their invaluable social and economic contributions. But there is often an adjustment period for newcomers and the City receives no federal financial support for the many settlement services it provides.

The City of Hamilton needs a Social Vision to guide its work because these problems are urgent and are ignored at great cost. The City needs a Social Vision because there is currently no overall plan or strategy for advancing a social agenda. A framework is required for tackling these difficult problems in a systematic and systemic way.

But the insight of a Social Vision is especially critical at this time because it has become more difficult in recent years for local governments to confront the varied and complex challenges they now face. In 1996, the federal government dismantled the Canada Assistance Plan, which had been an important source of funding for family and community services. The withdrawal of this legislation has meant fewer dollars for child care and family services, youth programs, and supports that help the elderly and persons with disabilities live independently in the community.

All communities in Ontario also face additional pressures arising from the provincial 'who does what' exercise, undertaken in 1996. As a result of a shift in responsibility and associated costs, local governments now must pay a greater portion of social assistance (commonly known as 'welfare'), child care, social housing and home care. Costs for some of these services, such as home care for the elderly, are expected to rise steadily with an aging population.

Moreover, many Hamilton residents were hurt by the deep 21.6 percent cut to social assistance payments that the province of Ontario introduced in 1996. (Social assistance is the program of 'last resort.' It provides assistance when individuals have no other source of support and their needs exceed available resources.) The reduction substantially affected welfare recipients' ability to pay the rent and to feed their children. For many residents, the roots of homelessness can be traced to this drastic change.

On another front, there has been substantial realignment of responsibility for housing combined with lack of investment on the part of senior levels of government. This new scenario means that local governments have had to assume much greater responsibility – both in leadership and finance – to ensure an adequate supply of decent affordable housing.

Finally, local governments are financially constrained in their ability to tackle complex social problems that arise daily in schools, in neighbourhoods and city streets. They have limited sources of revenue, which derive primarily from a property tax base.

In a nutshell, the City of Hamilton faces some tough social problems. It has had to assume more responsibility for a wide range of services in recent years with no associated financing increases. Like other cities, it has limited sources of revenue to offset greater demands and rising costs.

But the news is not all bad. The difficulties actually have created a window of opportunity for local leadership and more concerted action. And the City is fortunate to have a crucial lever that is fundamental to achieving this Social Vision: local assets. These varied resources should be harnessed in new and unique ways to tackle the serious social problems it faces.

City Council should be prepared to provide leadership and act as champion of this Social Vision. However, it cannot, nor should it, undertake the implementation of this Social Vision on its own. The City needs partners and will require the input of citizens to help guide the development of this work. The City's partners and engaged citizens are vital assets in this process.

Assets

The City of Hamilton should take pride in the fact that it is a community of great wealth, endowed with a range of invaluable assets. The challenge is to harness the following and other assets in innovative ways to create new value and new solutions to its social concerns:

- Coherent plans on several fronts including the New City of Hamilton Statement of Mission and Goals, the Economic Development Plan and the Vision 2020 sustainable development framework.
- Visionary leaders in all key sectors.
- High-quality educational institutions, including its public schools, Mohawk College, McMaster University and a teaching hospital.
- Internationally recognized researchers and practitioners in several fields, especially healthy child development.
- A substantial network of nonprofit agencies.
- Myriad studies that explain the scope of social challenges and possible solutions.
- Key community consultations – e.g., the Hamilton Early Years initiative; Connections for Kids conference; Vision 2020 and Action 2020; community consultation on social development; community consultation on child care.
- Major federal investments in such areas as training programs, homelessness and early childhood development.
- Major provincial investments in such areas as homelessness, health, education and early childhood development.
- Exemplary collaborative efforts under way – e.g., Strengthening Hamilton's Community spearheaded by the Hamilton Community Foundation in association with the United Way of Burlington Hamilton-Wentworth and other organizations.
- Culturally diverse population.
- Arts, culture and recreation recognized as important public goods.
- Highest rates of philanthropy and voluntarism in the country.
- Beautiful natural environment.
- Access to a consumer market base of more than 120 million within a 500 km radius.
- Anticipated skill shortages that are expected to open up employment opportunities.

Key Goals

The City of Hamilton should seek to:

- Pursue new and innovative approaches for enabling more citizens to share their views and help shape City life.
- Increase awareness about, monitor and improve the social well-being of the community and the need for shared responsibility in this area.
- Ensure that basic needs for food, clothing and adequate housing for all citizens are met.
- Promote inclusion by encouraging participation in the City's social, economic, cultural and recreational life.
- Help create a learning culture that fosters continual improvement.

Core Values

This Social Vision and associated goals are rooted in a set of core values. These have helped shape the development of this framework and should continue to guide the work as it proceeds.

A Social Vision values *democracy* and the right of citizens to associate freely with each other and voice their views.

A Social Vision values *active citizenship* and the worth that the community derives from members expressing a sense of responsibility to each other through political and voluntary engagement.

A Social Vision values *social justice*. It seeks to reduce the disparities between those in the community with resources and those without, and to provide opportunities for all citizens to attain social and economic well-being.

A Social Vision values *inclusion,* which entails the right to speak and be heard – and to participate in all aspects of the community. Inclusion involves a recognition of and respect for diversity. It also implies accessibility – the ability of all citizens to obtain the resources and services needed to share fully in community life.

Operating Principles

The City should:

- Base its work within the Social Vision on a factual understanding of the City.
- Build on successful initiatives undertaken or already under way including the New City of Hamilton Statement of Mission and Goals, the new Economic Development Plan, Vision 2020 and Action 2020, the Vision 2020 Sustainability Indicators project and the Municipal Children's Strategy.
- Incorporate this Vision into its own employment practices and delivery of services.
- Seek input from citizens and relevant organizations on all aspects of planning and action, and be accountable to the public.
- Achieve the vision, goals and actions through collaborative relationships, coordinated actions and integrated programs involving diverse sectors and community organizations.
- Set clear targets for the desired goals and monitor progress on an ongoing basis.
- Modify and improve performance through continual learning.
- Be prepared to do things differently and afford staff the opportunity to change practices, reinvest resources and make new alliances as required.

- Think big and act through well-planned small steps. This overarching Social Vision should be broken down into manageable and measurable actions set out and reviewed on a regular basis.

The Plan

The City of Hamilton should seek to:

- Provide leadership and act as champion for this Social Vision.
- Create public awareness of the pressing social needs in the community and of the importance of social investment.
- Foster a sense of responsibility for social well-being among all sectors.
- Build relationships among the diverse organizations and sectors that comprise the community.
- Integrate more effectively the services that the City delivers in order to improve the social well-being of Hamilton citizens.
- Undertake several flagship initiatives in collaboration with key partners in order to tackle major social problems.
- Assess progress in meeting identified goals and continually improve upon actions.
- Listen and learn.

The Process

The City should try to 'think big' but proceed thoughtfully and carefully. While the following actions are set out as a step-by-step progression, they are not necessarily linear. Building relationships, for example, is a continual process. The work should begin, evolve and begin again by building new relationships. City Council also must monitor progress and continue to listen and learn at *all* stages of its work. The actions to pursue include:

- Create ownership
- Raise awareness
- Build relationships
- Gather information
- Set goals and targets
- Take action
- Monitor progress
- Listen and learn.

Create Ownership

City Council can play several key roles as leader, champion, exemplary employer, investor, convener and partner.

It should make a commitment to championing this Social Vision. In order to create ownership for this vision, City Council should establish a governance structure for coordinating and monitoring the overall effort. Each flagship initiative that is pursued (Appendix A) could have its own governance structure and/or advisory committee.

City Council should be open to new solutions and allow staff to be creative with respect to the interventions in which they engage and the reinvestments they make. It should continue to require clear and regular reporting.

Raise Awareness

There is growing recognition that the improvement of social well-being is not simply the purview of the social sector – or even governments. It is in the interest of every individual and organization in the community to ensure the conditions for healthy, well-educated and engaged citizens – just like a clean environment benefits all individuals and a buoyant economy is positive for the entire community. It is in the common interest, and therefore a shared responsibility, to strengthen all three legs – social, economic and environmental – of the sustainable development stool.

Build Relationships

An essential early step is to build relationships with other sectors and partners. Strong and caring communities start with the citizen as the base. In fact, citizens collectively create the social fabric when they invest their time and resources in the community.

Many of the bonds created in communities arise from informal contacts and relationships formed among neighbours on the same block or parents of children in the same classroom. The process of building relationships means that the community is building its 'social capital,' which is created when people come together out of a shared purpose that goes beyond individual benefits. The social capital arising from these relationships adds to the resilience of individuals, families and the entire community.

There is growing recognition of the value of social capital. It has been found to contribute to health and well-being in significant ways. People with strong networks tend to be more successful in their careers and live longer. The same holds for communities and societies in which there are overlapping networks of formal and informal relationships. Individuals in communities and societies with high social capital tend to be more prosperous, healthier and experience less crime. In the case of safe cities, in particular, Jane Jacobs pointed out in *The Death and Life of Great American Cities* the need for many "eyes on the street."

We are beginning to understand some of the implications of this research. It means that there is a need to create or support opportunities for people to come together for social, educational, recreational or cultural purposes. It also means that there is value in fostering partnerships among various organizations and sectors, particularly among those that may not have worked together in the past.

Local governments can foster social capital by acting as a bridge among neighbourhoods, community organizations and social institutions, and by convening citizens and representatives from diverse sectors in local dialogue. They can encourage the building of a shared vision for the community.

In pursuit of this Social Vision, City Council should work closely with groups and organizations that comprise the social sector and that foster the social well-being of the community. But it also should expand the network of stakeholders involved in social issues to include citizens, business, educational institutions at all levels, health organizations, the arts community, the recreation sector, and the federal and provincial governments. It is essential to bring together the best minds, skills and resources – all the available assets – to tackle complex social challenges.

Gather Information

As this Social Vision becomes translated into action, it will be essential to build the work upon the best available evidence and information. The challenges, possible causes and correlates must be clearly understood along with various models that have worked effectively in addressing these issues. The most informed insight is required into the know-what, know-why and know-how of the concerns to be tackled.

Set Goals and Targets

One of the key tasks in undertaking a Social Vision is to identify clear goals and measurable targets that City Council strives to achieve. A set of indicators also is required to determine if action is being taken in the right direction and, if so, whether it is moving quickly enough.

In pursuit of this Social Vision, City Council should undertake several flagship initiatives, to be determined in collaboration with citizens and community organizations. These flagships are presented as possible examples of places to start and are not intended to provide an exhaustive list of all possible initiatives. The governing structure created to oversee this Social Vision should ensure that major targets and associated indicators for tracking progress are developed. It should build upon the work currently under way as part of the Vision 2020 Sustainability Indicators project in which many Hamilton citizens have been actively involved.

Take Action

i. On Its Own

There are two kinds of action upon which City Council can embark. It can take action on its own and it can move forward with a variety of partners.

The City of Hamilton can play a lead role by acting as exemplary employer and by ensuring that its policies and practices are responsive to the family needs of its employees. This role is described in Appendix A.

City Council also can make an important difference by delivering more effectively many of the services it currently provides. The new City of Hamilton delivers a range of services including child care, social assistance, public health, arts and culture, and recreational programs. In some areas, the City provides these services directly. In other areas, such as child care, a mix of providers is involved and the City allocates funding to help deliver these services.

There is extensive evidence – much of it developed by Hamilton-based researchers – regarding the value of integrated service models. It is a far more effective means of serving the needs of children and families. It is also more efficient in that it eliminates duplication of assessment procedures.

Other jurisdictions, such as the cities of Edmonton and New York as well as the province of Saskatchewan, are moving in this direction. In Hamilton, some important integration has begun with respect to children's services in the areas of language and speech services. The City also has coordinated a range of services for families on social assistance with young children. Much more could be done in this area – moving together a range of public health, recreational, cultural and social services.

The City of Hamilton can take the lead to promote inclusion. Some groups face barriers that exclude them from participating in the community – both physically and socially. The first step in building an inclusive community is to ensure that all members are able to move freely and engage in its social, economic and cultural life. There is a growing body of evidence that points to the negative effects of exclusion in terms of anti-social behaviour, violence and unsafe neighbourhoods.

The inclusion agenda is broad in scope. It can begin by efforts to open the door – literally.

Barrier-free design is the starting point for inclusion. This design is essential not only for persons with disabilities but for all community members. As the population ages, barrier-free design will become increasingly important. In fact, it should be the norm – not the exception. Ramps and curb cuts are helpful for seniors, for persons who need help walking and for caregivers pushing baby strollers. Low telephones can be accessed not only by persons in wheelchairs but also by young children. Large typeface is accommodating for all – including the growing numbers whose eyesight and hair colour are fading.

But the lens of inclusion checks for more than physical entry. It also checks for the ability to pay. Programs and facilities must ensure participation by all members.

In recent years, the City has charged user fees for many local facilities and services, such as hockey rinks and swimming lessons. It has had to introduce or raise these fees because of cash pressures that all local governments, including the City of Hamilton, face as a result of increased responsibilities for services with no additional financing. These fees make it difficult for many residents to participate in recreational and cultural programs. Entry fees may prevent many families from partaking in community activities, such as arts festivals, music or sports events, or cultural celebrations. Programs billed as 'community events' often exclude many members.

There is growing evidence that community events and celebrations – such as festivals, parades and block parties – are important to communities not just because they are fun. These celebrations build social capital. They help keep neighbours in touch with each other and reinforce the networks and associations that make neighbourhoods strong. These events are a vital means of creating community 'glue,' which strengthens and secures the social fabric. The citizens of Hamilton should be asked to help resolve this dilemma: the need to pay for these amenities and special events while at the same time ensure access for all.

It is also important to encourage citizens and key organizations to become involved in shaping this Social Vision and in working on selected flagship initiatives. In some ways, the engagement of citizens is easier said than done. Many members of the community have not played an active role in the past and may not believe that they can make a meaningful contribution to this process. In other cases, the time crunch that most families are experiencing these days makes it difficult to squeeze volunteer or community work into their already full schedules. Still others cannot afford to participate in community discussions because of travel or child care costs.

New ways should be sought to engage all citizens of Hamilton in discussing the social issues that concern all families and neighbourhoods. Efforts also should be made to involve young people and new Canadians, in particular, who often do not participate in (or get the opportunity to join) public discussions.

It is also important to reduce barriers to participation – by providing, for example, supervised child care during public consultations or meetings, soup and sandwiches (for the children as well) if these meetings are held at or near meal time, or a small payment to cover travel and child care costs. The possibility of making translators available at designated meetings also might be considered in order to encourage the participation of new Canadians or others who may require interpretation services – e.g., persons with hearing impairments.

While there are significant steps that City Council can take to tackle difficult social issues and improve the well-being of all community members, it cannot implement this Social Vision on its own. The participation of all sectors is essential to its success. Here City Council can play an important role as convener of the players with whom it can collaborate.

ii. With Partners

The second stream of action in respect of this Social Vision involves collaborative work with partners. These efforts are broader in scope than the single projects typically undertaken to tackle social problems. Ideally, these efforts will embody the following features:

- Address a range of issues as opposed to a single focus.
- Embody an holistic rather than compartmentalized approach.
- Involve a multisectoral process.
- Take a long-term perspective.
- Assume a preventive and developmental, rather than remedial, focus.
- Invest in community process as well as outcomes.
- Minimize duplication of effort by integrating and coordinating existing administrative structures wherever possible.

Several possible flagship initiatives are outlined in Appendix A. The initiatives presented are not intended to address all of the important issues related to social development nor to present all of the valuable work currently under way in the City of Hamilton. Rather, they are meant to illustrate the possible ways of tackling social challenges. They include efforts related to children and families, skills development and decent affordable housing. Each flagship initiative will be unique because it will be shaped by citizens and diverse sectors. But generally, the following steps should be taken:

Preparatory Work:

- Identify the broad issues or concerns to be addressed.
- Involve community members in framing the identified issues and exploring possible approaches.

- Convene a multi-organizational or multisectoral steering group to take responsibility for providing leadership and direction, informing the community and coordinating the activity.
- Ensure that there is a strong champion who will stand up for the issue and represent it in all venues, or provide such leadership when it is not otherwise available.
- Ensure that there is a single group or organization (if different from the champion) recognized by all members as the community lead on the issue, assuming that role if circumstances require.

Specific Actions:

- Seek information that helps clarify the identified issue in terms of key correlates and explanatory factors.
- Seek information and expertise on intervention models and initiatives that have been developed in the City of Hamilton and/or tried successfully in other communities.
- Share with citizens and community groups the information gathered and action taken around the creation of a coordinating mechanism.
- Set goals and targets as well as associated indicators to determine progress toward these goals.
- Identify the resources and contributions that each group and organization is prepared to bring to the table – including funds, staff time, space, equipment, knowledge and expertise, networks and publicity. Seek additional resources and raise funds if required.
- Be prepared to do things differently and afford City staff the opportunity to change practice, reinvest resources and make new alliances as needed.
- Identify and seek to reduce or remove policy barriers, such as municipal bylaws that prohibit the establishment of small businesses in certain areas.
- Monitor and assess progress on an ongoing basis.

Monitor Progress

As City Council embarks upon this Social Vision, it should work with the community and selected groups to monitor progress toward the achievement of the overall goals as well as those that comprise the flagship initiatives. The City should identify the desired targets and determine progress on the basis of selected indicators.

It is essential to recognize the substantial work under way in Canada and internationally on the development of indicators. In fact, the City of Hamilton is a world leader in this area; the Vision 2020 Sustainability Indicators project has devised a range of indicators which can be tapped for this Social Vision. The project identifies the actions that citizens, governments, business and the voluntary sector can take to improve the various measures.

The City of Hamilton also should draw upon the Quality of Life work being carried out by the Federation of Canadian Municipalities and other cities. The Quality of Life Reporting System helps communities, including local governments, see how they are faring on various indicators of economic and social well-being. The Reporting System sets some baseline measures to pinpoint the areas that communities can work to improve.

There are other important monitoring activities under way at the local level. Both the Hamilton District Health Council and the Social and Public Health Services Department assess and report on the health and well-being of the Hamilton community and service delivery system on an annual basis. The Social Planning and Research Council (SPRC) and the Regional Office of Human Resources Development Canada produce key data on local issues, such as the SPRC's report on homelessness and its well-being index and HRDC's reports on labour market trends. Discussion is under way regarding the potential for the collaborative production and dissemination of several of these products.

While clear targets in respect of goals should be sought, much of the work involves fostering citizen engagement in tackling common concerns. Ideally, the selected outcomes will include a problem-solving mechanism that mobilizes diverse sectors of the community to tackle complex issues. It is essential to recognize the value of this 'process' work.

Listen and Learn

Learning is far more than an educational process in which individuals and groups acquire new knowledge. It is actually a form of community development in which members engage actively around issues that affect their lives. The problem-solving process set in motion as part of this Social Vision will provide an opportunity for the entire community to learn new ways of tackling its social concerns and improving its social well-being – together.

Next Steps

There are several next steps in this process. First, it is important to secure City Council's commitment to this Social Vision – not simply to its words, but to its spirit. This Social Vision represents a positive and essential investment in the citizens of Hamilton.

Second, meetings should be held in the community to discuss the elements of this Social Vision. The purpose of these meetings is to enable conversation about social investment to move beyond the groups and organizations typically engaged in these discussions. A Social Vision needs to be embraced by the broader community

Finally, the Human Services Managers Group should identify the priority areas around which it recommends action be taken. It may decide to select one or two flagship initiatives. Alternatively, it could determine that the community is ready to move at a faster pace. The Group should seek community feedback on its decision. It can demonstrate, through its actions, the principle of listening and learning.

Appendix A:
Flagship Initiatives

This Social Vision requires the engagement of many players and sectors in order to tackle a range of complex social issues. Three possible flagship initiatives that may be undertaken as part of this Social Vision are described here. The purpose of the flagship initiatives is to present concrete and practical ideas for tackling the complex challenges that the City faces. The proposed initiatives do not represent an exhaustive list of possible actions; they are illustrative examples and are intended as a starting point. While the proposed methods are based on a review of major documents and interviews with key informants, they are by no means an exhaustive environmental scan of all the activities currently taking place in Hamilton.

The three possible flagship initiatives relate to children and families, skills development and affordable housing. While other possible areas of intervention are identified later, these three themes are discussed at length for several reasons.

Key respondents frequently identified these areas as priority issues. The City of Hamilton and other community groups are already involved in these areas and are in an excellent position to pursue them more substantially. Each area in itself is a pivotal 'entry point' to addressing a range of related concerns.

There are serious and growing problems in the City of Hamilton with respect to the well-being of children. But a rich and extensive body of research on the early years tells us that many difficulties can be avoided or reversed with effective and early intervention. Investment in the next generation is also the centerpiece of the concept of sustainable development, which has guided much of the City's strategic planning over the years. The City of Hamilton already has the makings of a blueprint to carry forward in this area.

Skills development was identified as a second flagship initiative because it is intrinsic to the economic success of individual households. It is also crucial to the economic health of the region. The City of Hamilton has just completed an Economic Development Plan which identifies the key clusters that act as the drivers of the economy. The success of these drivers requires skilled workers.

Affordable housing was selected as the third possible flagship area. There is substantial work under way in the City of Hamilton with respect to affordable housing and the associated problem of homelessness. But there is still a lot to do, especially because decent affordable housing is one of the best ways to help low-income households.

But City Council may decide, in collaboration with the citizens of Hamilton and selected partners, that other areas should be pursued as well. These may be undertaken in conjunction with, subsequent to or instead of the three identified areas. Other possible flagship initiatives may focus upon youth, new Canadians, supports for independent living, crime prevention and neighbourhood improvement.

While there is no single method or formula for undertaking any of these flagship initiatives, some general steps can be identified. The first task is to get City Council's house in order by ensuring that its policies and practices are supportive of the identified effort. It is important to create a coordinating mechanism or some other governance structure to take responsibility for the initiative.

It is also essential to raise awareness among members of the community about the nature of the concern being addressed and the City's desire to tackle the challenge in collaboration with partners. This process actually should be undertaken at several points in any given effort even though it is discussed here as a single discrete action.

Other important steps include gathering information that helps clarify an issue and seeking guidance from models that have been tried successfully in the City of Hamilton or other communities. The members of the governance structure charged with responsibility for the effort must work together, in collaboration with the community, to set goals and targets. They also must identify suitable indicators to help determine progress toward these goals.

The resources and contributions that each group and organization is prepared to bring to the table – including funds, staff time, knowledge and expertise, space, equipment, networks and publicity – should be determined. Additional funds should be raised if required. Accountability is crucial; the progress of any effort must be monitored and assessed on an ongoing basis.

Children and Families

Goal

To ensure that all children have the best possible start in life by meeting their basic needs and by providing a range of opportunities for physical, intellectual, emotional and social development.

Why Do This?

Children are the most precious resource of any community – and must be carefully nurtured. This flagship initiative will focus on the challenges of early childhood development for children ages 0 to 6.

The first few years of life are critical for brain development and affect children's subsequent performance at school and, eventually, in the job market. The conditions of the early childhood years, including prenatal development, influence significantly a person's chances throughout life.

The focus on the early years is not intended to minimize, in any way, the needs of older children. Children and youth require appropriate supports at all phases of their lives. Similar initiatives might well be developed for other age groups.

Children who do not receive the nutrition and stimulation necessary for good development in the earliest months and years of life may have difficulty overcoming deficits later on. Research evidence has found that the effects of disadvantage on children can be reduced by a number of careful interventions, such as good prenatal health and adequate nutrition of the mother; good perinatal health and adequate nutrition of the child; bonding of the child with a nurturing caregiver; positive, encouraging discipline; opportunities for learning experiences in the home and community, especially early childhood education; and positive value being placed on learning and education by the caregiver. Ideally, these would be the experience of all children. Research also has found that high-quality child care can lead to better outcomes such as improved adjustment to school, academic success, higher level of school completed, fewer arrests and fewer people requiring social services and income supports.

In short, investment in early childhood nutrition, stimulation and development is a crucial preventive measure and is essential under even the best of circumstances. But current circumstances unfortunately have not been the best. The 1993-97 infant mortality rate for Hamilton, for example, is higher than that of Ontario and Canada overall. The premature birth rate is on the rise; the singleton premature birth rate rose from 5.7 percent in 1991 to 6.4 percent in 1997.

A higher number of low birth weight babies are born in the Hamilton region than the provincial average. Very low birth weight babies experience developmental problems. Difficulties in school, in particular, often continue into adolescence and a large proportion of these babies require special education services in later years.

In 1998, 16.3 percent of households in Hamilton were single-parent families. The number of single parents living in poverty was higher in Hamilton than in Ontario and throughout the country.

There is a serious lack of high-quality affordable child care in the City of Hamilton, especially in rural parts of the region. There are not enough infant spaces, and an inadequate supply of toddler, preschool and school age spaces. There is a lack of licensed child care for shift workers, parents who work on weekends and parents experiencing a short-term emergency. Between the 109 nonprofit programs, 21 commercial operators, and three home child care agencies, there are only enough licensed child care spaces for six percent of children under age 12. The services that do exist need to reflect more adequately the City of Hamilton's growing ethnic, cultural and linguistic diversity as well as the needs of Aboriginal members of the community.

There are serious child welfare problems in Hamilton. The number of children taken into care by Children's Aid Societies throughout Ontario used to rise at an annual rate of 3 to 5 percent. But in the past three years, the rate of increase has been growing by 35 percent province-wide (more than 10 percent a year). In the City of Hamilton, the number of children taken into care by the Children's Aid Society jumped by 25 percent in the past 12 months. The removal of children from their homes into the custody of child welfare authorities generally is a last-resort measure after all other interventions have failed. It is a bellwether of deep problems in families and neighbourhoods.

On a less disquieting but equally serious note, there are subtle signs that the community's children may be losing ground. The scores of City of Hamilton Grade 3 students on provincial tests were average relative to overall scores for the province. But by Grade 6, the educational scores of these students had fallen below the provincial average. At last count (1995), Hamilton had a poverty rate of 21.9 percent compared to 17.7 percent for Ontario and 19.7 percent in Canada in that year. This is serious for children, in particular, because of the strong link between poverty and school failure. These signs call not only for vigilance but also for action.

Possible Plan of Action

Review employment policies

The first responsibility is to act as a model for the community. City Council should review its own employment policies to ensure that these are responsive to the family needs of its employees. These include flexible working arrangements, job sharing and unpaid leaves of absence for family reasons. It is essential to recognize that parents may need to take time occasionally for children's medical appointments and for attendance at school events. It is also important to minimize the excessive scheduling of meetings during family time on evenings and weekends.

Create coordinating mechanism

At the current time, no single organization is clearly responsible for organizing efforts to ensure the well-being of all children. Over the past year, the Hamilton Early Years Initiative has begun to address this pressing concern. Established through Order-in-Council by the Ontario Government in the fall of 2001, the Hamilton Early Years Steering Committee was charged with mobilizing the community around early childhood development.

The Committee recently completed an extensive research and consultation process culminating in the release of *Start Smart: The Hamilton Early Years Mobilization Plan.* The report recognizes the diverse initiatives in this area already under way. It also notes that many groups and organizations are already coordinating their efforts to better serve young children and their families.

What is lacking, however, "is an overall coordinated and integrated approach to the early years – a common vision with agreed-upon strategic directions, broad-based community support, agreed-upon desired outcomes and commitment to work toward achieving them."

The consultation undertaken as part of the Early Years Initiative proposed that the City of Hamilton take the lead role in coordinating the community response to early childhood development. It should work with other government bodies, such as the provincial ministries responsible for family and children's services, education and health; social service organizations involved with children and families; and the wider community. The City has the authority and stature required to work with many partners as well as a scope of responsibility in this area not matched by other potential partners.

Any flagship initiative focussed upon the needs of children and families requires a mechanism to take responsibility for identifying and coordinating the actions that comprise the strategy. The group should include the City of Hamilton Social and Public Health Services, and the Division of Culture and Recreation and Parks as well as key community organizations such as school boards, the Children's Aid Society and Catholic Children's Aid Society of Hamilton, the Centre for the Study of Children at Risk, early childhood development programs, recreation and arts programs, the Social Planning and Research Council of Hamilton-Wentworth, the United Way of Burlington Hamilton-Wentworth and the Ontario Ministry of Community, Family and Children's Services. Parents and the consumers of services also should be involved.

The various representatives may decide to share responsibility for chairing the initiative. However, one organization ideally should be designated as lead and prime champion.

It is important that any overarching coordinating process fully recognize the collaborative efforts under way in the community. For example, the Regional Task Force on School Age Nourishment, working with the Social and Public Health Services Department and the Hamilton Community Foundation, set a direction for the development of all nourishment programs in the region. The preschool initiative for speech pathology brought together health, education and social services. Some elements of the Children's Vision Document with its children's report card, promoted by the Social Planning and Research Council of Hamilton-Wentworth and the Hamilton District Health Council, have been incorporated into Vision 2020, the sustainable development framework for the City.

The Family Resource Centre Coordination Project, with funding support from the City of Hamilton, has enabled family resource centres to work together at expanding services and avoiding duplication of efforts. The Integration Resources Hub project has established a collaborative effort to promote the inclusion of children with special needs in child care settings. This model could be applied to other communities across the province. All of these initiatives serve as strong foundations upon which a comprehensive coordinating process can build.

Engage citizens

Numerous conferences, reports and meetings already have pointed out the importance of investing in all children and tackling more effectively the needs of vulnerable children. But many of these discussions are held among persons who already are aware of the issues. The City should spearhead a public education program that informs other community groups about the importance of preventive action in the early years – for all children.

In addition to raising awareness about the importance of investing in the early years, this Social Vision calls for the active engagement of citizens in proposing actions to improve the well-being of children. One possible method is to set up small discussion groups or study circles to identify the strengths and concerns of the neighbourhood as seen through the eyes of residents. Guidelines are available on how to conduct these kinds of study circles in order to meaningfully engage community members.

These groups ideally would involve a mix of people to share their views and figure out ways to support each other – e.g., through the supervision of safe play. Hamilton residents also may want to organize neighbourhood events such as arts festivals, cultural events, community play days, educational sessions or potluck dinners. These events could have the effect of strengthening the social fabric of the neighbourhood and the context within which community members together help raise 'their children.'

Gather information on exemplary models

There are countless exemplary programs for children including those run under the auspices of Healthy Babies/Healthy Children (a province-wide program of infant screening and targeted home visiting for high-risk families and children in which the City of Hamilton participates), the Canadian Prenatal Nutrition Program, the Community Action Program for Children and family literacy projects, such as the Family Literacy Advisory Group. Other interesting models are worth noting as well.

The City of London, Ontario, is working in partnership with the federal and provincial governments as well as local school boards and other community organizations to address the health and learning needs of children. Individual neighbourhoods identify the issues and ideas they want to address; current projects focus on safety, educational needs, school breakfast programs and family events.

Another exemplary model is 'Success by 6,' in place in more than 200 communities throughout North America. Success by 6 focusses upon five objectives in addressing early childhood development: supporting parents, ensuring healthy babies, promoting early learning programs, protecting children from abuse and neglect, and supporting neighbourhoods. Initiated by the United Way, Success by 6 is not a single program and is neither funded nor owned by a single organization. Rather, the initiative builds partnerships among the public, private and voluntary sectors to raise awareness of the importance of early childhood development. It seeks to enhance collaboration among service providers, and raises money over and above United Way campaigns in order to increase investment in services known to make a difference in child development.

Commit to a Municipal Children's Strategy

The City of Hamilton already has embarked on important work in this area, emerging from the *Connections for Kids* report. It should review this strategy and re-commit itself to a Municipal Children's Strategy, a draft of which had been prepared in 1999. The Strategy made reference to the need for coordination, both within and between City departments, in the design, funding and delivery of children's services. The City should take steps to maintain and strengthen partnerships with other levels of government as well as boards of education, service providers, researchers and local businesses.

Integrate services

Another important action that can be taken in the short term is to integrate more effectively the range of programs currently provided for children and families. In recent years, important steps have been taken by the City's Department of Social and Public Health Services. The Department has been restructured to integrate more fully the policies and programs pertaining to child care, public health, social assistance and other social services.

Despite these changes, children's issues still tend to be divided into discrete categories such as public health, primary health, long-term care, schools, child care, social services (both local and provincial), corrections agencies, charities, recreation and leisure, food and shelter, and social assistance. This fragmentation seriously impedes progress in meeting children's needs, and children's networks and programs tend to work in isolation from one another. Inadequate communication and coordination can result in service gaps and the inability of the system to respond effectively to individual and family needs. Continued efforts are needed to integrate services within and among departments at all levels of government, and between governments and community groups.

Important research findings are emerging that identify the value of service integration. Hamilton-based researcher Dr. Gina Browne and colleagues noted in a study entitled *When the Bough Breaks* the positive impact of delivering services in an integrated or holistic way, rather than through the piecemeal approach typically used. Far too many resources are spent in duplicate assessment and administration; resources are wasted through services that work against rather than with each other.

One key step is to identify all the areas in which service delivery can be integrated. The City of Hamilton delivers a range of services and programs through the Social and Public Health Services Department, and through the Division of Culture and Recreation and Parks. The integration can begin incrementally as the community already has done in many instances – e.g., the closer alliance of speech and language services for children and through cooperative work, such as Partners in Nutrition. Closer integration does not mean that the administration of these services must be combined or that organizations must amalgamate. But it does mean that any given household would go through only one intake procedure and that a single coordinating system would have responsibility for helping that family negotiate the system.

Develop preventive supports

City Council should recognize the importance of ensuring access to services for children deemed at risk of developmental delay or emotional problems. These services include prenatal nutrition programs, early screening and home visits by public health nurses to at-risk households. It also should acknowledge the need to assist – through counselling, respite care and additional assistance in the home – families at risk of neglecting or abusing their children. The *Connections for Kids* report recommended that service providers and boards of education pay particular attention to the educational, health and social needs of high-risk groups, such as adolescent mothers.

It should be noted that recreation is emerging as a central piece of the puzzle, particularly for families and children deemed to be 'at risk.' Dr. Gina Browne and colleagues found that recreational services alone help psychologically disordered children on social assistance maintain their social, physical and academic competence at a level equal to that of a non-disordered child. Without the services, children's competence levels actually drop. Recreation appears to pay for itself through reduced use of health and social service, such as child psychology, social work and probation. The impact of providing recreational services alone resulted in a 10 percent greater exit from social assistance compared to the parents of children who did not receive this service.

The significance of Dr. Browne's research has been recognized in Hamilton since 1999 when a group of youth service agencies proposed that local government subsidize culture and recreation experiences for children and youth whose parents were in receipt of social assistance. This initiative should be expanded to ensure access by all children.

Participation in sports, recreation and other leisure activities is essential for all children because these activities promote inclusion, and are associated with an enhanced quality of life through the acquisition of new skills and improved physical and psychological well-being. Data from the National Longitudinal Survey of Children and Youth found that children who participate in organized activities outside school such as sports, music, the arts or clubs tend to have higher self-esteem, interact better with friends and perform somewhat better in school. Recreation and the arts are as integral to our Social Vision as are social services. From a health perspective, recreation is especially important in reversing the growing problem of child obesity and diabetes.

Community-based supports for families are essential to help prevent problems and to encourage positive development. These include high-quality affordable child care and local resource centres where parents can go for information about child development and programs for families. 'Mom and tot' playgroups offer important socialization opportunities for children and informal support for parents. Respite through formal services or informal means, such as babysitting co-operatives, can provide crucial occasional relief for caregivers. Toy and book lending libraries make available important resources for low-income families. The newly announced Ontario Early Years Centres will provide further support to these many positive initiatives.

Promote school as hub

Schools are convenient centres for service provision and awareness because children come to school every day, often accompanied by parents. Many families see the school as a place to get help and schools can share a wide range of facilities. Services for students can be accessed during school hours with little disruption to their studies. The school facilitates the delivery of services in one safe and familiar place rather than having students travel in all directions to seek support. With the joint or adjacent location of services, various agencies are able to communicate and work together, share ideas and resources.

This view is reinforced in the recent *Convergence* report by Dr. Gina Browne and colleagues, who note the central role of schools in promoting the well-being of children. The researchers propose that education services, in partnership with health, welfare and recreation services, should promote social, emotional and behavioural well-being as part of all children's healthy development and total education. They further recommend that universal, early intervention and culturally sensitive mental health promotion services be co-located within the educational sector and should include supports for those with intense and long-term needs.

While schools are well-situated to act as service hubs, other neighbourhood agencies, such as family resource centres and recreation centres, may be able to play that role in some neighbourhoods. The concept of service hub should be applied flexibly and in ways that build upon existing community capacity.

Help build strong neighbourhoods

Strong neighbourhoods are an important foundation for healthy children and families. One possible focus of a flagship initiative is to build a stronger sense of community in selected neighbourhoods. With most parents involved in paid work and with many adults engaged in caregiving – either of children or aging parents or both – most families face serious time pressures.

Part of this work can focus on encouraging neighbours to make connections so that families feel rooted in a caring and supportive environment. Possible activities may involve the creation of family resource centres, play groups and family reading circles. Other actions include the organization of community events such as cultural festivals, sports activities or theme days to help neighbours get to know one another and collaborate on common projects that create a more healthy environment for all. Neighbours may work together to build a playground for children or organize a community clean-up to ensure a more healthy environment.

The neighbourhood also may decide to focus upon a common concern, such as establishing a community garden or setting up a good food box program to ensure access to high-quality food at affordable prices. They may organize weekly potluck dinners for families to promote neighbourhood ties while providing nutritious and reasonably priced meals.

Neighbourhoods can help one another as well. They can share success stories and provide each other with support in undertaking effective initiatives.

Identify key indicators

The initiative will identify several key indicators to help determine whether any of the selected interventions are having any impact upon children, families, selected neighbourhoods and the broader community. The precise indicators will vary depending upon the interventions that the community ultimately decides to pursue.

There already has been some important work in this area that can serve as a foundation for this choice. A notable example is the 'Keeping Score on Kids' project spearheaded by Dr. Dan Offord and colleagues at the Hamilton-based Canadian Centre for Studies of Children at Risk. The School Readiness to Learn Project, undertaken as a partnership between the Canadian Centre for Studies of Children at Risk, the Hamilton-Wentworth District School Board and the City of Hamilton's Early Years Initiative, also could provide useful indicators of child development. The Canadian Centre for Studies of Children at Risk has received funding from the Ontario government to implement the Early Development Instrument

Other sources upon which this flagship initiative could draw are the Well-being Index developed by the Hamilton Social Planning and Research Council, the Hamilton-based Vision 2020 Sustainability Indicators project and the national Quality of Life measures developed by the Federation of Canadian Municipalities. Possible indicators include, for example, the percentage of lone-parent families, rate of infant mortality, percentage of low birth weight babies, teen fertility rate per 1,000 women aged 15 to 19, measures of school readiness and extent of participation in recreational activities.

Monitor progress

The coordinating mechanism responsible for the initiative should set out a proposed plan of action based on the possible areas of intervention identified above. The plan should be reviewed with selected community groups and modified based on their feedback. The coordinating mechanism also is responsible for developing a strategy to monitor and share information on the progress.

Skills Development

Goals

To ensure that the knowledge and skills of workers match the needs of the core clusters of the Hamilton economy.

To assist workers who have been marginalized from the labour market gain access to opportunities for meaningful employment.

Why Do This?

The City of Hamilton faces high rates of unemployment. This was not always the case. The local economy weathered some profound transitions throughout the 1990s. In 1998, the region had one of the lowest unemployment rates in the country and ranked first in employment growth among Ontario's 10 Census Metropolitan Areas.

But since the first quarter of 2001, employment in the Hamilton Census Metropolitan Area (CMA) has contracted. In the first quarter of 2002, there were 334,700 people employed in the Hamilton CMA compared with 352,900 people in the first quarter of 2001, a decline of 18,200 workers. By contrast, employment in Canada grew over the same period by 155,400. Youth participation in the Hamilton labour market also has dropped. Higher unemployment also is reflected in an 11 percent increase in Employment Insurance claims last year (2001).

The City faces problems related not only to the numbers of jobs. It also must deal with concerns around the numbers of available workers. Hamilton's net migration and natural growth rates tend to lag behind other high growth communities such as Peel, York, Waterloo and Halton. The Hamilton labour market reproduces itself just slightly less than on a one-to-one basis. Labour shortages are predicted for coming years.

In its *Environmental Scan 2001*, the Hamilton-Wentworth Training Board found growing evidence of a skills mismatch in the region. The expertise of the current labour force – those currently employed as well as those seeking work – does not match the region's knowledge and skill requirements in the coming years. Moreover, employment service agencies anticipate shortages in the skilled trades unless greater efforts are made to recruit and train such workers. There is also a skills gap, which refers to the inability to meet current skill requirements in terms of basic math, 'soft skills,' language competency and technological skills.

In addition to a skills problem, many groups face higher than average rates of unemployment. Persons with disabilities often find that there is little or no accommodation of their special needs. Many more would be able to work if they could get in the door or if they had access to required equipment or assistance. New Canadians face barriers to work because skills and experience acquired offshore often are not recognized in this country. Workplace discrimination also poses a significant barrier to the efforts of new Canadians to secure employment and advance up the job ladder.

Many young people have problems just getting a toehold in the labour market because they lack work experience – something difficult to gain if they are not hired. Despite current and pending labour shortages, there is still a shortage of employment and training opportunities for youth.

While there are some complex challenges, there are also many strengths in the local economy. The City of Hamilton has adopted a new Economic Development Plan which identifies the key clusters that will act as the engines of local economic development. The challenge is to meet the human resource requirements of these clusters. The Hamilton-Wentworth Training Board has noted that recruitment efforts would be greatly enhanced by building relationships that create collaborative, community-wide recruitment strategies. Here the City has some work to do.

Possible Plan of Action

Review employment policies

The first step that City Council can take to tackle the skills development challenge is to act as exemplary employer. It first must get its 'own house in order,' which means examining its own training and employment practices so that it sets an example for other employers in the region.

Wages and benefits should be reviewed to ensure that the City itself is not contributing to the ranks of the working poor.

City Council also should seek to provide employment opportunities for those who typically have a hard time breaking into the labour market. It must accommodate the needs of workers with disabilities and afford sufficient employment opportunities to new Canadians. With respect to young people, in particular, the City can offer mentoring, create internship positions and accept students for co-op placements.

For City employees, it is important to make provisions, such as flexible work hours, that allow them to balance the demands of work and family. In addition, employees should be encouraged to contribute to their community. As an employer, the City can support volunteerism by allowing workers a set number of paid hours per month for community service.

Finally, the knowledge economy requires all employees to engage in training on an ongoing basis. Such training is not simply nice to do; it is essential in a knowledge economy. The City of Hamilton can ensure that it provides opportunities for staff training and upgrading. This investment in human resources is consistent with its newly released Statement of Mission and Goals.

Create coordinating mechanism

As in any flagship initiative upon which the City embarks, it will need to create some form of coordinating mechanism to take responsibility for the issue. Ideally, this mechanism will be a multisectoral group that includes business (individual companies, sectoral councils and umbrella organizations), labour, McMaster University, community colleges, the Social and Public Health Services Department, the federal and provincial governments, the Hamilton-Wentworth Training Board, employment agencies such as the Citizen Action Group, anti-poverty groups, the Settlement and Integration Services Organization and groups representing persons with disabilities. It is clear that many Hamilton-based organizations already are actively involved in this area and have substantial expertise and experience to bring to the table.

One organization among the diverse players must take the lead and agree to act as champion for the issue. For example, in the case of the Partners for Jobs initiative (described below), the City of Ottawa played the role of convener and lead player for the first 18 months of the project.

A recently released report on skills development entitled *HR Matters* details the challenges facing the Hamilton community and sets out proposed actions. A group already has begun to take action in this area and needs to be engaged in any expanded efforts in order to avoid duplication.

Engage citizens

This Social Vision calls for the active engagement of citizens in proposing actions for enhancing skills development. One possible method is to set up small discussion groups or study circles to identify specific gaps related to skills development and ways to address them.

In Ottawa, the Social Services Department formed a Poverty Task Force as a vehicle for low-income residents to identify practical challenges related to poverty. The City provided financial support for its operation and engaged community developers associated with neighbourhood centres to support the work of low-income groups. This process resulted in a range of policy and program recommendations, many of which have received support from the City. A modified version of the Task Force became an advisory group to the newly amalgamated local government.

A similar process could be designed to obtain the input of workers, prospective workers and other stakeholders concerned with skills development. Nonprofit agencies, labour unions and business councils could serve as organizers, engaging their respective networks to provide ongoing guidance to the skills development initiative.

Gather data on local labour market

As in other possible flagship initiatives, it is essential to base this work on a solid understanding of key challenges. In the case of the labour market and human resource needs, this task is easier said than done. There are major gaps in knowledge at the local level. This is a problem not only for the City of Hamilton.

At the national level, various labour market surveys provide a picture of the country as well as a breakdown of trends for individual provinces. But it generally is not possible to disaggregate these figures to the local level. If a given city or region wants to know, for example, the extent to which its businesses are engaged in training, national data cannot be used to discern this information. The sample sizes are too small in certain regions and problems of confidentiality often arise with such application.

Yet this profile is required to devise an informed training system responsive to local labour market needs. In order to obtain relevant data, it is necessary to carry out surveys of designated sectors or groups of employers within identified clusters. The local office of Human Resources Development Canada (HRDC), which has responsibility for the collection, assessment and dissemination of labour market information, already has begun this process. The City, HRDC and its partners should continue this effort.

Raise awareness

City Council will need to raise awareness about the work undertaken as part of this initiative. In some ways, this task will not be difficult because employers typically have a keen interest in ensuring a pool of knowledgeable and highly skilled workers.

But it may be more challenging to persuade employers to hire workers who traditionally have been marginalized from the labour market. While Ontario Works recipients are the primary target of any skills development initiative, there are other individuals – such as Employment Insurance recipients and underemployed workers – who also could benefit from this effort. To encourage employment, it may be necessary to undertake special measures to facilitate their entry into and retention in the labour market. In many communities, links are being formed between nonprofit groups and businesses to create the range of supports that enable successful integration into the workforce.

Gather information on exemplary models

There are literally hundreds of examples of innovative training programs that can guide this work. But many communities have adopted a multisectoral approach to skills development.

One notable example is found in the City of Ottawa. It created Partners for Jobs to help tackle the problem of high unemployment and underemployment in the region. The Regional Chairman (now Mayor of Ottawa) convened a Task Force with representatives from business, labour, anti-poverty groups, education, social services, and the federal and provincial governments.

The Task Force was able to generate new forms of training, apprenticeship and job creation that never before had been tried. The welfare department and business sector worked together to develop short-term, geared-to-market training, known as 'customized training.' Special projects also were undertaken to recognize the skills credentials of immigrants.

The Partners for Jobs project has been highly successful in its results to date – nearly 1,300 unemployed workers were trained and in fewer than two years had found employment in various firms that comprise the key clusters of the local economy. Part of the success was due to the fact that the training was highly market-relevant. Partners for Jobs also helped participants with associated problems related to child care as well as lack of funds for transition to work and business startup.

As Partners for Jobs was under way, a major study was being carried out to identify the primary generators of the Ottawa economy, much like the economic development exercise being undertaken in the City of Hamilton. The two Ottawa-based efforts – one focussed on fighting poverty and securing basic needs, and the other concerned with developing the local economic base –

subsequently have merged into a program called TalentWorks. It is headed by a high-profile multisectoral group chaired by the business community and implemented by the Ottawa Centre for Research and Innovation, the umbrella organization for the high-tech sector.

What began as a small project for training the hard-to-employ has evolved into a comprehensive initiative for addressing skill shortages in the major economic clusters including high tech, biotech and photonics. The model seeks to create a world-class talent pool while meeting the needs of the unemployed and special groups, such as new Canadians and persons with disabilities.

The St. Louis, Missouri, effort in the US is another exemplary model. It created the St. Louis Regional Jobs Initiative, a collaborative effort involving more than 400 agencies, community groups, governments, businesses and unions. The initiative has developed job programs in three growth industries in the St. Louis region: construction, business services and health care.

The Seattle Office of Economic Development created the Seattle Jobs Initiative to improve economic opportunity for all citizens, especially disadvantaged workers. The effort includes customized training programs to prepare machinists for the region's aerospace industry; the 11-week 300-hour program was designed by area employers, educators and community leaders. The City also contracted with the Greater Seattle Chamber of Commerce to provide a brokerage service between the local workforce and employer needs.

In Philadelphia, a 200-page plan for reforming the local labour market was conceived over a 17-month period with the help of 30 organizations, representing business, public agencies, nonprofit groups and philanthropies. The purpose of the plan was to connect disadvantaged workers to well-paying jobs as well as create new jobs.

It is important to note that these efforts cannot succeed as a whole unless they have strong components. Existing training and employment programs with a solid track record for successful results must play a leading role in these initiatives. In Hamilton, for example, during fiscal years 2000-01 and 2001-02, the Citizens Action Group found work for 1,250 individuals and placed an additional 325 persons in further training and education. These programs form the foundation upon which to build broader community-wide initiatives.

Identify specific projects

The multisectoral coordinating body first should establish a clear understanding of the priority areas within the skills agenda. Each priority area should have associated goals, desired outcomes and targets for measuring progress. The coordinating body then should determine the specific projects to be undertaken in respect of these goals. The appropriate organizations should be engaged around these various efforts. The coordinating body likely will want to broaden the scope of groups involved in each project, as appropriate.

The strategic plan ideally would include a variety of customized training projects, efforts targeted toward specific groups such as new Canadians and young people, and local business development. Basic education, transitional and ongoing employment supports are also part of an effective skills development program.

To the extent possible, links should be made among the various dimensions of the skills development program. One way to promote these links is to co-locate various services in easy-to-access centres.

Develop customized training approaches

Customized training is a form of skills development that is short term and targeted toward precise job-related needs. In Canada, one exemplary model of customized training has been developed by the Winnipeg-based Opportunities for Employment, a nonprofit organization created in 1996. The program works primarily with social assistance recipients and beneficiaries of Employment Insurance.

Under this program, job vacancies are sought by job developers who foster close working relationships with local employers. The employers for which training programs have been developed include furniture manufacturers, hotels, insurance firms, call centres, food services, and food producers and manufacturers. Training courses are based on the specific needs of the employers. Courses typically are short term, ranging from three days to a maximum six weeks.

The Learning Enrichment Foundation (LEF) in Toronto is another example of an organization that employs customized training. It serves an estimated 5,000 clients a year, about half of whom are involved in LEF training programs. The program claims an 80 percent success rate, with participants remaining in their jobs for a minimum six-month period.

The Learning Enrichment Foundation provides an integrated package of services that includes job search, training, business incubation to support the development of small business, job placement and work-related supports, such as child care. Within this broad spectrum of programs, LEF offers customized training in four streams: computer applications, industrial skills, child care and language skills. Training in computer software also is offered to help participants fill administrative positions in a wide range of firms.

There are several successful models of customized training in the US. In Tulsa, Oklahoma, a nonprofit organization called 'IndEx Inc.' combines on-site training with work experience in local industrial plants. On a given day, participants spend four hours in the classroom and four hours on the shop floor performing light manufacturing work. Training consists of a 30-day program that teaches basic skills and some educational upgrading, and a 60-day program specializing in electronics and telecommunications. The program has been particularly effective for social assistance recipients with limited schooling and work skills.

Another interesting example is located in Philadelphia. When its Convention Center began development in the 1980s, the authority responsible for the project created a $10 million, ten-year Education and Training Fund financed by bonds and hotel tax revenues. The Fund was set up to support short-term, specialized training in the hospitality industry to ensure sufficient numbers of skilled workers for the 4,500 permanent jobs that the Convention Center was slated to create.

The Arizona Department of Economic Security has responsibility for human resource and job training. It established the Arizona Business Initiatives Partnership to help the Department get more detailed information on the skills required in various industries and to develop closer ties with employers. Through the partnership, the Department is able to identify the skills base for designated industries including electronic assembly, health care, restaurant, retail and teleservices. Employers are then engaged to assist the Department develop pre-employment training programs targeted to their industry.

Increasingly in the US, employers representing the banking, electronic assembly, hospitality, retail and restaurant sectors are partnering with public agencies to support pre-employment training programs directed towards a designated industry sector. In addition to the activities of specific sectors, several individual employers have designed their own short-term training programs. The Marriott Hotel, for example, has developed a community training and employment program called ‘Pathways to Independence.’ United Airlines, Burger King and Borg-Warner Security Corp. are involved in similar initiatives.

Other possible approaches

In some cases, it will be essential to build basic skills prior to job training or paid employment. Programs focussed on language skills help workers learn English or French. Literacy and numeracy skills are also prerequisites to employment.

Job search involves assessing current skills, preparing résumés, self-marketing and acquiring information on job vacancies. Building skills includes academic upgrading and job training – e.g., computer training, data processing and trades, such as carpentry or electronics. Training may lead some participants to immediate jobs; in other cases, they may seek financial or technical assistance to create their own jobs.

Other efforts related to skills development involve a focus on certain population groups such as youth, women and new Canadians. Many young people, in particular, find it difficult to get a decent job. It takes work experience to get work experience.

A recent Hamilton project offers a good model for addressing the skills development needs of youth. With funding support from Human Resources Development Canada, the Labourers International Union set up a program to assist 12 at-risk youth make the link to the labour market. The youth received two weeks of training in soft skills for entry-level workers: communication skills and industry awareness, health and safety training, craft and trade tending, and job simulation. Participants became union members on a provisional basis and were placed in entry-level jobs with local employers. At the end of their 14-week internship, eight of the 12 youth were working and five had joined the union.

Training businesses are another strategy for helping young people obtain training and work experience in such areas as food service, hospitality, lawn care, recycling, printing and car repair. The youth are paid a wage so that they earn an independent income while they learn about various aspects of running a business and acquire market-relevant skills. Many training businesses report an enhancement in participant self-esteem, leadership, and a sense of pride and accomplishment.

Entrepreneurship training is another approach proven to be particularly effective with young people. This training typically is undertaken by a nonprofit organization or by the economic development arm of local government. It is a model being promoted in Europe through the Europrise International Network of Entrepreneurship Training.

Some communities have set up loan funds to meet capital needs and the costs of space or equipment and stock. These loan funds typically are supported by a variety of sources including private donors, local businesses and community foundations. Business people often are engaged as mentors to help the youth learn the practicalities of running a business.

Job guidance is another means of helping young people find work. In the absence of much or any labour market experience, young people often need help determining where to seek employment or what education or skills training to pursue.

Training businesses also have been effective for women. The Enterprising Kitchen in Chicago, for example, enables women who lack strong employment histories the chance to work in a supportive environment while they prepare for future employment or education. Participants learn essential work habits and job skills while they are paid to assemble, package and market specialty food products.

Recent immigrants to Canada often find that the skills and expertise they acquire offshore are not recognized by Canadian employers. In this case, the solution lies not in acquiring new skills but in recognizing or upgrading the credentials they already have. City Council and the coordinating body for this project should consult with the Settlement and Integration Services Organization when determining the appropriate actions. Immigrant settlement programs can include employment counselling, referral to training and the promotion of self-employment.

The City of Milwaukee set up a training business that focusses upon training and placing (primarily Latino) community members into jobs that pay family-supporting wages. The community-based corporation – Esperanza Unida, Inc. (Spanish for 'United Hope') – operates seven training and job placement businesses including an auto repair shop, child care centre, commercial printing and graphic arts centre, customer call service centre, housing and construction company, metal fabrication shop, and coffee shop and bookstore.

Mentorship programs have had considerable success, particularly for new Canadians involved in professions and skilled trades. The Skills for Change Mentorship Program in Toronto, for example, successfully matched employed engineers with immigrants seeking work in that field. The mentorship pairs met regularly to link prospective employees to job opportunities.

Partners for Jobs undertook several projects focussed upon this group. It provided support for a job fair organized by World Skills, a nonprofit agency that helps skilled immigrants find employment. The opportunity for contact between prospective employers and employees resulted in many successful employment matches. Partners for Jobs also organized a project to facilitate the employment of foreign-trained teachers.

Engagement in one of the many forms of skills development is one way to square the employment equation. Other methods include the creation of work opportunities through the development of small business opportunities and co-operatives, mentoring for entrepreneurship and access to venture capital. These options are discussed below.

Provide transitional supports

Skills alone are not the entire answer to the employment puzzle. Workers who traditionally have been marginalized from the labour market often require additional assistance to make the transition to employment. It costs money to go to work – transportation for job interviews, work clothing, license to drive a vehicle for employment purposes or to operate equipment, professional dues or license fees, and equipment such as tools or protective gear.

One option is to set up a labour force transition fund to offset one-time or temporary costs. Contributions to this fund might be solicited from the voluntary and business sectors. It could be used as well by prospective employers for physical accommodation to the workplace, such as ramps, a wider washroom entrance or visual fire alarm.

A labour force transition fund also could help offset the costs of health- or disability-related special needs for a limited time. The special assistance budget within social assistance provides for these needs in the form of wheelchairs, hearing aids, prosthetic equipment, medications and assistive devices for independent living or work. Because special assistance is intended primarily for social assistance recipients, the provision of this aid virtually ties many individuals to this income program. When recipients try to move off welfare, they may lose access to vital assistance. Ideally, support would continue to be provided during a transitional period in which welfare recipients are establishing themselves in the workplace.

Ensure access to child care

Another crucial employment support is to ensure the availability of subsidized child care spaces to all participants engaged in designated skills development initiatives as well as for a specified period of employment (e.g., up to two years). Most parents – including single parents and those with preschool children – are now in the labour force. But the lack of affordable, high-quality child care has been a major barrier to training and workforce participation.

The Learning Enrichment Foundation (LEF), earlier described, recognized that many prospective participants would not be able to participate in its programs – be it language, skills training or job search – unless they had access to affordable, high-quality child care. In response, LEF set up its own network of child care centres and currently operates 13 licensed centres throughout Toronto for about 650 children.

The program also trains participants as early childhood assistants. The course combines practical experience with classroom work in the areas of child development, curriculum planning, and safety and nutrition. Graduates receive a certificate as an early childhood assistant as well as certification in emergency first aid and childhood CPR. Graduates are helped to find employment in child care centres, family resource programs, drop-in centres and private families as nannies.

Identify indicators

As in the case of all flagship initiatives, the precise indicators of progress will depend upon the specific projects undertaken. Possible indicators include number of people trained, number of placements, rate of successful employment matches, rate of job retention (e.g., six-month attachment to the labour market; one-year attachment to the labour market), and changes in source and level of income.

Monitor progress

Regular reporting of evaluation findings is necessary both to maintain the participation of key stakeholders and to make adjustments to the strategies being pursued. Evaluation should be understood as a support for collaborative learning. It should highlight exemplary practices so that these can be applied more widely.

The monitoring process also should acknowledge what has not worked, emphasizing lessons learned from the experience. By sharing findings with stakeholders in a purposeful way, the coordinating mechanism can foster a culture of learning that enhances the long-term effectiveness of the initiative. Monitoring should be a tool for management, planning and network building. It can be linked to events that serve to celebrate the network and renew its efforts.

Affordable Housing

Goal

To increase the supply of affordable housing in the City of Hamilton.

To promote the availability of affordable housing through such measures as rent subsidies, funds for home improvement and assistance with the payment of the first and last months' rents.

To ensure the availability of emergency and shelter arrangements in order to reduce substantially the rate of homelessness in Hamilton.

Why Do This?

The City of Hamilton faces a serious affordable housing crisis – both with respect to the lack of decent affordable housing and high rates of homelessness.

The housing market for middle- and high-income households has been healthy. By contrast, no new rental housing units with below-average market rents have been built in Hamilton since 1996.

The Canada Mortgage and Housing Corporation measured a decline in rental vacancy in the City of Hamilton from 3.8 percent in October 1998 to 1.4 percent in October 2001. An ideal vacancy rate for the City is closer to 2 to 3 percent.

Since 1999, 3,827 new housing units have been constructed in the City, only 15 of which were intended for rental. This level falls well short of the 770 rental units required per year to meet the rental housing demand based on the City's housing projections. At the end of June 2001, 3,180 people were on the waiting list of the Community Housing Access Network. There are 450 new applications, on average, per month.

On the affordability front, an estimated 31,000 renter households – representing 47 percent of total renter households – spend 30 percent or more of their income on rental payments. About 15,500 renter households pay more than 50 percent of their income on rent payments. Average rents have increased 13 percent since 1998.

Seniors represent a growing proportion of the City's population, rising from 9 percent in 1971 to 14 percent in 1996. This group is expected to comprise a projected 22 percent of the population by 2028. Many seniors experience problems finding adequate housing and often require associated supports to live independently. Nearly half of older Canadians experience some form of functional limitation.

As if lack of availability and affordability were not serious enough, another problem presents itself. Many members of the visible minority community face racism and discrimination, making it difficult – if not impossible – to find decent affordable housing.

On a related front, the crisis of homelessness has worsened over the years. The closure of the Hamilton Psychiatric Hospital and reduction of mental health supports have exacerbated the homelessness crisis.

The number of residents staying in emergency shelters on a given night increased from 172 in 1998 to 343 in November 2001. Women's shelters turn people away on a nightly basis. Entire families are finding themselves in need of emergency shelter, often being split up in order to access existing services. The demand for emergency youth shelter is overwhelming; many young people leave home because of abuse and violence, and subsequently find themselves on the street without shelter.

Possible Plan of Action

There are three major areas around which action can be taken with respect to affordable housing. First, there are many areas to be pursued in respect of decent affordable housing, the cornerstone of a healthy and safe community. Second, there are numerous areas in which action has not yet been completed – or even started – around homelessness. Finally, there are several related efforts which do not focus upon physical housing but which enable independent living in the community.

Review current practices

As in all flagship initiatives, the first step is to examine City policies and practices that directly or indirectly affect the supply of affordable housing. The City already has begun to take action on this front. Its activities are identified in a recent report of the Hamilton Affordable Housing Partnership Initiative (HAHPI), described below.

The City of Hamilton is exploring the creation of a Housing Partnership Fund, intended to stimulate the supply of affordable housing. Other contributions, such as land and administrative resources, will help lever additional housing through the development of new units, the rehabilitation of current dwellings and the conversion of nonresidential buildings into residential dwellings.

Other recent actions include the introduction of the Hamilton Convert-to-Rent Program, also intended to increase the supply of affordable housing. In addition, the new Hamilton Home Emergency Repair Program will help provide emergency loans for lower-income homeowners who require immediate financial assistance for home repair.

The City has established a separate property tax class for newly constructed or converted multi-residential rental buildings of seven units or more. This measure will lower residential property taxes by about one-half for new rental housing structures.

Another important measure is the creation of the City 'enterprise zone.' Taxes from the increased assessment resulting from the redevelopment or improvement of properties within the limits of the Downtown Business Improvement Area are returned to the developer in the form of a grant. The City also has adopted an Environmental Remediation and Site Enhancement Community Improvement Plan to make available grants for financial relief to property owners who undertake and complete brownfield redevelopment projects.

Finally, Hamilton City Council is exploring the implementation of a 'Consider Housing' policy for the disposition of City-owned lands. Such a policy would mean that first consideration would be given to building housing on any municipal lands deemed surplus. Another possible improvement is a Municipal Capital Facility bylaw, which would enable the City to use property tax exemptions to stimulate the production of affordable housing.

There are other municipal actions to promote affordable housing that are not included in the HAHPI report, but would help increase the supply of affordable housing. For example, City Council might promote opportunities for boarding or might support, in certain areas, the development of secondary suites in primary residential dwellings.

Secondary suites are distinct from accommodation in a rooming house in that they typically are created in homes which the owner occupies. These suites usually are constructed by modifying basements or subdividing the upper floors of existing homes. Secondary suites often are used by seniors who require smaller accommodation or by young persons who typically seek lower-cost housing.

Create coordinating mechanism

As in any flagship initiative upon which the City decides to embark, it needs to ensure the presence of some form of coordinating mechanism to take responsibility for the issue. In the case of affordable housing, there are already two key coordinating mechanisms upon which any future work should build. A coordinating mechanism should foster and help sustain partnerships as well as increase awareness as to the resources and supports that currently exist in Hamilton.

The Hamilton Affordable Housing Partnership Initiative (HAHPI) is the City's response to its housing supply problems. HAHPI's mandate is to coordinate and promote in a comprehensive manner the housing supply efforts currently under way from all levels of government. It also is responsible for developing housing supply initiatives and partnerships in response to new programming and legislative action by senior levels of government.

HAHPI already has consulted with key stakeholders, including the Halton-Hamilton Home Builders' Association, the Social Planning and Research Council of Hamilton-Wentworth, the Roomers and Boarders Committee, the Bridge Program, the Settlement and Integration Services Organization, Freedom House and legal aids clinics. In the course of its work, it should maintain close links with the City's Social and Public Health Services Department, which is concerned with the needs of low-income households and the quality of life for all Hamilton residents.

There is also considerable work under way with respect to homelessness. Since 1998, the Regional Advisory Committee on Food and Shelter and the Solutions for Housing Action Committee have worked in collaboration with the Social Planning Council of Hamilton-Wentworth to identify the causes and scope of the homelessness problem. The findings were published in the report, *Our Homes and Our Streets*. A subsequent *Community Action Plan on* Homelessness in Hamilton-Wentworth and further *Addendum to the Community Action Plan on Homelessness in Hamilton-Wentworth* set out specific recommendations for tackling the problem.

In response to growing pressure to take action on homelessness, the federal government announced in 1999 the Supporting Communities Partnership Initiative (SCPI). It provides funds to cities throughout the country that qualify on the basis of three criteria: their population, extent of poverty and rental vacancy rates. Additional amounts were allocated to address homelessness among Aboriginal people and young persons.

In Hamilton, SCPI funds are disbursed by the City. Funding decisions are made in conjunction with a Community Advisory Board on Homelessness with representatives from the health sector, social sector, business, community agencies, youth, Aboriginal persons, the immigrant community and people who are homeless.

In short, the City of Hamilton already has in place basic coordinating mechanisms around both homelessness and the broader issue of affordable housing. The challenge for future work will be to ensure the coordination of these two streams as well as promote links with related efforts, such as the provision of at-home supports (discussed below).

Engage citizens

In addition to raising awareness about the importance of decent affordable housing, the Social Vision calls for the active engagement of citizens in proposing actions for tackling the immediate problem of homelessness and the longer-term challenge of improving the supply of decent affordable housing. One possible method of engaging citizens is to set up small discussion groups or study circles to identify possible solutions.

These groups ideally would involve a mix of people to share their views on housing and related concerns. Special efforts may be needed to ensure that the voice of homeless people is heard. In Oshawa, Ontario, the nonprofit organization Cornerstone Community Association has worked with homeless and formerly homeless residents to design an interactive popular education program, which promotes awareness of the realities of homelessness. Housing tenure is not the only issue; decent affordable housing must be embedded in safe and healthy communities.

The *Report Card on Homelessness in Hamilton* issued in April 2002 by the Social Planning and Research Council of Hamilton-Wentworth notes that certain members of the community have been left out of traditional decision-making processes. An effort should be made to provide Aboriginal people, new Canadians, refugees and racial minorities the supports and opportunities they need to participate in making important decisions that affect their lives.

Raise awareness

Investment in both homelessness and affordable housing, more generally, will require substantial financial capital and the City of Hamilton must continue to play a role as major investor. Because of the sizeable funding required in this area, it will be essential to ensure that Hamilton citizens understand the scope of the affordable housing problem as well as its social, economic and health impact. The lack of decent affordable housing affects children's ability to learn and adults' capacity to hold stable employment. It also is linked to poor health outcomes. Households that pay between 50 and 70 percent of their incomes on rent must cut back on food for children and other basic living costs.

In fact, citizens should be made aware of the growing body of research that is identifying the need not only for decent affordable housing. The benefits of homeownership – both for individual households as well as the community – increasingly are being recognized. Positive outcomes include enhanced psychological functioning, higher wealth and savings, increased social participation and improved neighbourhood stability.

Gather information on exemplary models

The Hamilton Affordable Housing Partnership Initiative (HAHPI) already has explored some of the work under way in other municipalities. In its March 2002 report to City Council, it noted that the City of Toronto had launched an affordable housing program, called 'Let's Build,' with an initial capital commitment of $10.8 million. In October 2000, Toronto City Council allocated an additional $11.9 million to the program, for a total $22.7 million.

The goal of Let's Build is to create partnerships between the public and private sectors in order to encourage the construction of new affordable housing. The City provides both capital and land for this purpose. It also exempts certain fees in the case of nonprofit rental housing.

The initiative was set up subsequent to the Report of the Toronto Mayor's Homelessness Action Task Force released in 1999. It called upon all levels of government to invest in affordable housing and set out an associated action plan. Proposals include shelter allowances to ease the affordability problem in the short term; construction of new affordable housing; preservation of existing affordable housing; service planning around the accommodation needs of specific groups such as abused women, Aboriginals, and immigrants and refugees; a homeless services information system; and community economic development.

While the action plan was developed specifically for Toronto, its proposals are applicable to other municipalities. The Task Force called for a 'housing first' policy in which municipalities designate appropriate sites for affordable housing. (The City of Hamilton is considering this proposal for implementation in 2002.)

The Task Force recommended that the shelter component maximum for social assistance recipients be equal to 85 percent of the median market rent for each local housing market. It suggested that a new shelter allowance be created that is targeted to working poor households. It proposed that the City of Toronto pay the first and last months' rent when required.

The City also could fund and administer a 'rent bank' with a $500,000 annual budget to help low-income households pay for short-term rent arrears. Development charges and other related fees should be waived for housing that meets affordability criteria. The Task Force proposed the appointment of a facilitator for action on homelessness to report regularly on the reduction and prevention of homelessness and to prepare an annual report card gauging the City's performance. (It should be noted that such an appointment already has been made in Hamilton.)

There are also important exemplary models of work in the voluntary sector. The World Vision Canada Aboriginal Council, for example, called a meeting with its members in Saskatchewan, Manitoba and Northwestern Ontario in order to identify their most critical needs. All agreed that the lack of affordable housing was a top priority that required new and creative solutions. World Vision Canada subsequently developed a self-help approach through which community members could construct their own housing using alternative techniques that are both affordable and energy efficient.

Three First Nations communities participated in the project and built several houses using an innovative low-skill method, known as straw-bale construction. The Council also set up a housing co-operative; it raised the initial capital through the construction of two homes using donations of cash, labour, materials and land. The houses then were used as equity for raising additional funds from financial institutions.

The Quint Development Corporation in Saskatoon is another model of innovative voluntary action for affordable housing. Quint came into being in February 1995 to improve the social and economic well-being of five older neighbourhoods in the city core.

Quint's efforts focus upon enabling low-income groups to pool their talents and resources to create ownership, jobs, training opportunities, income, stability and self-worth. It created an Affordable Housing Program geared toward low-income households, including social assistance recipients. The emphasis is upon homeownership through the creation of co-op arrangements.

The program survives as a result of the many partnerships it has created. It relies on the support of several departments in two levels of government: the Saskatchewan Housing Corporation and the City of Saskatoon. Quint also involves several credit unions and many local businesses including contractors, architects, a real estate agent, lawyers and insurance co-ops that offer technical support and preferred rates on their goods and services.

Another important dimension is that Quint incorporates an economic development component within its affordable housing work. It set up a home renovation program funded in part by Saskatchewan's Post-Secondary Education and Skills Training Community Works Program, with additional funding from The Co-operators. The renovation crew helps ensure that the homes are attractive and surpass regulated health and safety standards. The on-site renovation work, coupled with sessions in Quint's training shop, give the crew several months of on-the-job experience, which have improved their skills and opportunities for paid employment.

Identify possible initiatives

Any action plan around affordable housing must build upon work already under way in the community. There are many areas of 'unfinished business' that have been identified by both the Hamilton Affordable Housing Partnership Initiative and the recently published *Report Card on Homelessness in Hamilton.* Only a few possibilities are identified here; other initiatives are identified in the reports on affordable housing and homelessness. With respect to the supply of affordable housing, one option for future action involves the enhancement of the Municipal Fund. But the building of new housing will take some time.

In the short term, subsidies to low-income households could alleviate much of the burden of affordability. One possibility is to raise the housing component of social assistance benefits. Another short-term measure is to provide rent supplementation to low-income households (not just to social assistance recipients) until the supply of affordable housing improves.

The City of Hamilton also might consider various means to promote homeownership. As noted, positive outcomes of homeownership identified in the literature include enhanced psychological functioning, higher wealth and savings, increased social participation and improved neighbourhood stability.

The City can play a number of roles, including assisting families build assets in order to make an initial down payment on a home. Individual Development Accounts can be used for this purpose; a national pilot project funded by the Department of Human Resources Development Canada is testing their effectiveness. These accounts give low-income households an opportunity to save and accumulate assets over a given period of time. For every dollar that a participating household is able to save, the project deposits a matching amount (typically three dollars for every one dollar saved) into a designated account. When the maximum allowable amount is reached, it may be applied to education, employment or homeownership.

A variant on this approach is being piloted by the US Department of Housing and Urban Development. Normally, the rent charged to a public housing resident increases as his or her earned income increases. Under the Family Self-Sufficiency Program, such rent increases are foregone if the resident chooses to direct an equivalent sum of money into an asset-building account. After five years, residents receive the accumulated asset to use as they choose.

On the homelessness front, a blueprint for action is clearly laid out in the *Report Card on Homelessness in Hamilton.* The *Report Card* identifies the 15 areas in which recommended actions in the earlier report *Our Homes and Our Streets* have been achieved, the 18 areas in which actions are in progress and the 10 recommendations around which no action has been taken. The *Report Card* noted the importance of federal financing; the Supporting Community Partnerships Initiative (SCPI) funds enabled the successful achievement of 10 recommendations and the partial achievement of another 10 proposals. There will be another report card in 2002 that will reflect the progress in tackling homelessness since 2001.

Actions already undertaken include major repairs to emergency shelters as well as an increase in their capacity and staff. The Housing Emergency Loan Program received funds to expand its services. Health care services for people experiencing homelessness have improved. Outreach services for persons coping with mental health problems or addictions have expanded.

Actions are under way with respect to providing crisis and transition beds for persons being discharged from hospitals or prisons. A settlement house is being developed for immigrants and refugees who are newcomers to Hamilton. Temporary funding has been provided to emergency drop-ins so they can operate on a 24-hour basis.

Of concern are the areas in which no action has been taken to date. Cultural sensitivity and anti-racism training for emergency shelter staff have not yet been undertaken. Neither has stable funding been made available for transitional housing for the women survivors of abuse. There has been no action on recommendations for the City of Hamilton to lower property tax rates for multi-residential buildings or to monitor the conversion of rental housing units to condominiums.

Another possible course of action from a social perspective is to ensure the availability of supports to enable residents, especially low-income citizens, to remain at home if they choose.

Supports for living in place

For many Hamilton residents, housing needs go beyond four walls and a roof. They require supports that assist with the activities of daily living, such as technical aids and equipment – e.g., wheelchairs, visual aids, volume control devices and prosthetic appliances.

These supports also include a range of personal services. Attendant services provide assistance with personal needs such as feeding, bathing and dressing. Homemaker services help with household tasks, such as meal preparation and home maintenance. Respite refers to assistance primarily for families caring at home for children with severe disabilities – and aging parents.

These supports currently are provided through a patchwork of arrangements. A child may obtain these supports at school; hospital patients would receive them as part of their care. Those living at home generally must pay sliding-scale fees unless they are recipients of social assistance.

The City of Hamilton should explore a more systematic provision of these supports. One possibility is to detach the supports from the provision of social assistance so that individuals do not have to be on welfare to obtain these essential goods and services.

On a different but related front, the Hamilton District Health Council issued a brief report in October 2001 entitled the "Housing and Support Requirements for Persons with Serious Mental Illness." An estimated 36 percent of people who experience homelessness have some form of mental illness. The report identifies the need for supportive housing that enables the transition from custodial care to independent living. This form of housing combines affordable housing with appropriate supports.

The report also pointed to the need for greater cooperation among the three organizations responsible for the planning and development of housing and supports: the Hamilton District Health Council, the Regional Psychiatry Program and the City of Hamilton as the major housing provider. The report proposes that the City play a more active role in ensuring access to information about affordable housing and support programs.

Building strong neighbourhoods

Decent affordable housing must be rooted in strong and safe neighbourhoods. Some important work in this area is already under way in the City of Hamilton. City police, for example, have established councils in selected neighbourhoods.

The Hamilton Community Foundation is engaged in a project that is providing modest support for neighbourhood capacity-building projects. It also is involved with the United Way of Burlington Hamilton-Wentworth and other organizations in a Strengthening Civility initiative developed post-September 11.

Identify indicators

Many indicators of progress are already available in this area, including an increase in the number of affordable housing units. Average rents, vacancy rates and waiting lists for affordable housing are also relevant benchmarks. Other indicators include the changes in housing circumstances of members of groups, such as new Canadians, who often experience difficulty finding affordable housing. Progress on the homelessness front may include increases in emergency shelter beds and reductions in the numbers turned away from overnight shelters.

Monitor progress

The coordinating mechanism that will take responsibility for this flagship area should develop a strategy to monitor and share information on the progress of the efforts. The *Report Card on Homelessness in Hamilton* proposes one possible model.

The *Report Card* reviews the 44 recommendations made in an earlier community report on homelessness. It ranks each proposal on the basis of a green light (the action that has been achieved), yellow light (progress is being made) and red light (no action has been taken). This system tracks the progress of previous recommendations and alerts the community to the areas where attention is still required.

Although several community plans already exist, they should be modified and updated as required. There is also a need to ensure that the work undertaken in respect of these plans and their respective investments are well coordinated and work on parallel, rather than separate, tracks.

SECTION 6

SECTION 7

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

7.1

COMMUNITY SERVICES DEPARTMENT
Emergency Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager
Date:	September 17, 2002	**Prepared by:**	Glen Peace 546-3341

SUBJECT: **Emergency Services Reciprocal Assistance Agreements (CS02085) (City Wide)**

RECOMMENDATION:

(a) That the City of Hamilton enter into an Agreement with the County of Brant, City of Burlington, City of Cambridge, Town of Grimsby, Haldimand County, Township of North Dumfries, Township of Puslinch and the Town of West Lincoln and such other municipalities as deemed appropriate for the mutual provision of emergency services assistance;

(b) That the Mayor and City Clerk be authorized and directed to execute all such agreements in a form that is satisfactory to the City Manager and City Solicitor.

William E. Fenwick, Acting General Manager
Community Services

EXECUTIVE SUMMARY:

The former area municipalities generally had in place either written or verbal agreements with adjacent municipalities for the mutual provision of emergency aid. The proposed agreements formalize the process of including exchanges of mutual indemnities, contacts, etc. It is generally anticipated that each municipality will bear its own costs. The proposed agreements (sample attached as Appendix A and Schedules A & B) permit the municipality to call on the aid of others where and when required.

BACKGROUND:

The recommendations/information contained in report CS02085 have City Wide implications.

With the amalgamation of six fire departments and four ambulance providers into Hamilton Emergency Services, this Recommendation will clarify and standardize the emergency assistance agreements for Hamilton.

Emergency Assistance Agreements (previously known as Mutual Aid Agreements) generally are agreements where, at the request of the municipality requesting assistance, the adjacent municipality will respond to assist. The benefits to this are self-evident and are reciprocal in nature.

Routine Assistance Agreements (previously known as Automatic Aid Agreements) are recommended in certain specific circumstances where due to geographic location or access to roadways, the Emergency Services of an adjacent municipality (or our own) is in a position to respond more rapidly than the Emergency Services of the jurisdiction from which the emergency call has originated. In these cases both forces will respond to the call. The first arriving Emergency Service will immediately render assistance until the Emergency Service having jurisdiction arrives and takes over the operations.

Council should be aware that there exists long-term examples of such agreements between communities i.e. the Burlington Skyway Bridge has been utilizing resources from both Hamilton and Burlington for decades.

ANALYSIS OF ALTERNATIVES:

N/a

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

No financial impact on the operation or capital budgets.

POLICIES AFFECTING PROPOSAL:

N/a

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following jurisdictions have indicated their willingness to enter into Reciprocal Assistance Agreements with the City Of Hamilton:

- County of Brant
- City of Burlington
- City of Cambridge
- Town of Grimsby
- Haldimand County
- Township of North Dumfries
- Township of Puslinch
- Town of West Lincoln

CITY STRATEGIC COMMITMENT:

The proposed series of agreements make efficient use of Emergency Services resources for the protection of the public in and around the City of Hamilton.

RECIPROCAL ASSISTANCE AGREEMENT

MADE THIS 31ST DAY OF JULY, 2002.

BETWEEN:

CITY OF HAMILTON

(the "City)

OF THE FIRST PART

- and -

CORPORATION OF THE CITY OF BURLINGTON

(the "Corporation")

OF THE SECOND PART

WHEREAS the City and the Corporation have historically provided mutual assistance to each other with respect to the provision of Fire Services;

AND WHEREAS the parties wish to enter into an agreement to clarify the terms under which such assistance shall be provided in the future;

Therefore, the Parties agree as follows:

1. Definitions

(1) In this Agreement,

(a) "Agreement" means this Agreement and the attached Schedules, as amended from time to time;

(b) "Assisting Municipality" means the city or region providing aid or Routine or Emergency Assistance under this Agreement;

(c) "Emergency" means situation or an impending situation,

(i) caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life, health, property or the environment; or

(ii) a demand for Fire Services that,

(I) exceeds the existing capacity of a party; or

(II) arises were the Fire service resources of a party have been exhausted or depleted;

(d) "Emergency Area" means the area in which an emergency exists

(e) "Emergency Plan" means a plan under the *Emergency Plans Act*;

(f) "Emergency Assistance" means assistance provided with respect to an Emergency, but does not include "Routine Assistance" or "Good Neighbor Assistance";

(g) "Fire" includes a blaze, spontaneous combustion, natural or man-made conflagration, gas or chemical leakage or an explosion, and any other incident or situation to which a fire department would normally respond;

(h) "Fire Services" means any one or more of the emergency services customarily rendered by a fire department in Ontario, including fire fighting or control, but does not include fire prevention;

(i) "Good Neighbor Assistance" means assistance provided under section 7;

(j) "Requesting Party" means the municipality or county asking for or otherwise receiving Routine Assistance, Emergency Assistance, Good Neighbor Assistance or any combination thereof under this Agreement;

(k) "Routine Assistance" means the routine Fire assistance, commonly referred to as "auto aid" assistance, that is to be provided in the ordinary course under section 2.

(2) In this Agreement, unless the context otherwise necessitates,

(a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution therefor or amendment thereof; and

(d) the headings to each section are inserted for convenience of reference only and do not form part of the Agreement;

(e) all accounting terms have the meaning recognized by or ascribed to those terms by the Canadian Institute of Chartered Accountants;

(f) all references to time shall be deemed to be references to current time in the City of Hamilton;

(g) words and abbreviations which have well-known technical or trade meanings are used in the Contract Documents in accordance with such recognized meanings.

2. Routine Assistance

(1) The City shall provide to the Corporation the routine Fire Services described in schedule "A" to this Agreement.

(2) The Corporation shall provide to the City the routine Fire Services described in schedule "B" to this Agreement.

(3) Where service is provided under subsection (1) or (2), the Party to whom that service is provided shall pay on demand the appropriate fee for that service, as provided in Schedule "A" or "B" as the case may be, or as may subsequently be agreed between the parties.

(4) Despite any other provision of this Agreement, except as provided in subsection (3), all costs and expenses associated with the provision of Routine Assistance shall be paid by, and shall be for the account of, the party providing that Routine Assistance.

3. Emergency Assistance

(1) The parties acknowledge that due to their proximity to each other, an Emergency affecting either of them shall be deemed to be a matter of mutual concern.

(2) In addition to the Routine Assistance provided for under section 2, each of the Parties may provide Emergency Assistance to the other in accordance with this Agreement, and where such Emergency Assistance is provided.

4. Authorization to Request Emergency Assistance

(1) So far as possible, a request for Emergency Assistance shall be made by the Chief Administrative Officer of one Party to the Chief Administrative Officer of the other party, or some other senior officer of each party respectively as may be designated by by-law, and notified to the other party.

(2) Where in the circumstances the Chief Administrative Officer of the Requesting Party is incapacitated or otherwise incapable of acting, a request for assistance may be made by the senior administrative officer of the Requesting Party who is able to submit the request, and the Assisting Municipality may place reasonable reliance on any request submitted by a person who appears to the senior administrative officer of the Requesting Party in the circumstances.

(3) From time to time, either Party may request the Emergency Assistance of the other Party, whether in the form of qualified personnel, services, equipment, or material from the other party, where

(a) there is an Emergency within the jurisdiction of the Requesting Party; or

(b) the Requesting Party is rendering assistance to another municipality, whether or not in Ontario, in respect of an Emergency affecting the jurisdiction of that other municipality.

(4) Where possible, any request for assistance shall be made in writing (provided that any such request may be made via fax or e-mail), but where circumstances are such as to make a written request impractical, the Requesting Party may make an oral request for assistance, and the Assisting Municipality may provide assistance to the other party upon receipt of the oral request, and shall be entitled to reimbursement and indemnification in accordance with this Agreement for all steps taken in good faith in response to such a written request.

(5) A written request shall set out in detail the specific personnel, services, equipment or material that has been requested as assistance, and which the Assisting Municipality has agreed to provide. The Assisting Municipality may request such reasonable additional information as it considers necessary to confirm the existence of the Emergency and to assess the type, scope, nature and amount of assistance to be provided.

(6) Where a request for assistance is ambiguous, the Requesting Party shall bear the cost of any assistance provided in reasonable response to that request.

(7) The Assisting Municipality shall respond to the request as soon as practicable, but may in its sole discretion determine the type and scope, nature and amount of assistance it will provide.

(8) The Assisting Municipality shall confirm in writing the assistance it has agreed to provide or has provided.

5. Limitations on Emergency Assistance Provided

(1) Subject to section 2, nothing in this Agreement shall require or obligate or be construed to require or obligate a party to provide Emergency Assistance.

(2) Each party shall retain the right to refuse the request to provide Emergency Assistance, and the right to offer options to the assistance that has been requested.

(3) No liability shall arise against the Assisting Municipality if it fails, for any reason whatsoever, to respond to a request for assistance made under section 3.

(4) When Emergency Assistance has been offered or provided by the Assisting Municipality, the Assisting Municipality shall not be obligated to provide any further assistance (other than Routine Assistance under section 2) or to do anything or take any action beyond that which is specifically agreed to by the acceptance of the request for Emergency Assistance.

(5) Nothing in this Agreement shall prevent the Assisting Municipality, in its sole discretion, from withdrawing any or all Emergency Assistance provided to the Requesting Party.

(6) Any withdrawal of Emergency Assistance under subsection (5) by the Assisting Municipality shall be made only upon at least forty-eight (48) hours' notice to the Requesting Party, unless the Assisting Municipality is responding to an actual or pending Emergency within its own geographical boundaries, in which case it may withdraw assistance from the Requesting Party without notice.

(7) The Requesting Party may determine in its sole discretion that its requirement for assistance has ceased and shall notify the Assisting Municipality of this in writing.

(8) Where the Assisting Municipality is notified under subsection (7) that the requirement for assistance has ceased, it shall as soon as practicable notify its personnel of this fact, and arrange for the return of its personnel and equipment with the shortest time reasonably possible, and the obligation

of a Requesting Party to reimburse and indemnify the Assisting Municipality shall cease to apply in respect of costs and claims arising after the end of the time so allowed.

6. Costs of Emergency Assistance

(1) Any and all direct and indirect costs incurred by an Assisting Municipality in providing Emergency Assistance shall be paid by the Requesting Party.

(2) Such costs shall include all wages, salaries, overtime, shift premium, and similar charges and expenses incurred in providing the assistance including those wages, salaries, overtime and shift premium charges incurred resulting from staffing requirements in its home jurisdiction during the period of the assistance, providing all such costs are reasonable in the circumstances.

(3) The costs recoverable under this section shall not include the Assisting Municipality's cost of employment benefits which includes, for the purposes of this Agreement, Canada Pension Plan, Employment Insurance, OMERS contributions, or contributions made to life insurance, health, dental, or disability plans or policies.

(4) The Requesting Party shall also be responsible for all actual operating costs for all personnel, services, equipment, machinery or material furnished, including, but not limited to, costs of fuel, repairs, parts and any and all other items directly attributable to the operation of equipment and machinery, services and material furnished as assistance to the Requesting Party under this Agreement. The Requesting Party shall be responsible for the cost of replacing equipment or material furnished by the Assisting Municipality if damaged beyond reasonable repair.

(5) The Assisting Municipality shall provide to the Requesting Party, if practical, an estimate of the cost of providing the assistance, but the risk that the actual cost of providing that assistance exceeds the amount so estimated shall lie on the Requesting Party.

7. Good Neighbor Assistance

(1) Where one party (the "neighboring party") is called by a resident of the other party (or by any other person) to respond to a Fire or other emergency in the home jurisdiction of that other party, and,

  (a) it is impractical or impossible for the neighboring party to redirect the call or to notify the home party of the receipt of that call;

  (b) there are reasonable grounds to believe that life or property would be endangered by any delay in responding to that call (including any delay resulting from the referral of the call to the home party); or

(c) it is not realized until units of the neighboring party dispatched in response to the call are at or near the scene of the Fire or other emergency that it is in the home jurisdiction of the other party;

then the neighboring party shall respond to and provide Fire Services with respect to that call as if it were a call properly made within its home jurisdiction.

(2) The neighboring party shall notify the home party that it is responding to a call under this section, as soon as practical after becoming aware of that fact, and upon being so notified, the home party shall dispatch its own units to relieve the units of the neighboring party which have responded to the call, unless the neighboring party informs the home party at the time when it notifies the home party under this section, that the Fire has been extinguished.

(3) Where the neighboring party responds to a call under this section, the home party shall pay a response fee as follows:

(a) no fee shall be payable in respect of the first hour between the time of the dispatch of the units by the called municipality and the time when they are relieved under subsection (2) or otherwise depart from the scene;

(b) a fee of $350 per vehicle for the second hour during which such units of the neighboring party are involved in that response (measured from the time of dispatch to the time of their departure from the scene), plus

(c) a fee of $175 per vehicle for each half hour thereafter, as determined in accordance with clause (b).

8. Payment

(1) Payment by the Requesting Party for costs incurred for any assistance provided under this Agreement, shall be subject to the Requesting Party's receipt of an invoice from the Assisting Municipality.

(2) The invoice required under subsection (1) shall set out in sufficient detail the costs actually incurred by the Assisting Municipality in providing assistance, and where practically available, receipts for disbursements shall be forwarded in support of the invoice.

(3) The Requesting Party shall remit payment of the amount owing for the assistance provided within forty-five days of the receipt of the Assisting Municipality's invoice.

(4) Any amount remaining unpaid and outstanding after the time provided in subsection (3) shall bear interest at a variable rate per annum equal to the rate publicly quoted from time to time by the Bank of Canada as its prime rate for advances to Canadian banks for short term liquidity purposes plus

2 per cent, that interest to be calculated not in advance and compounded monthly and to be payable before and after demand, default and judgment on the amount outstanding from day to day.

9. Employment Relationship

(1) Despite the fact that the employees, contractors and agents (collectively "the workers") of the Assisting Municipality may be assigned to perform duties for the Requesting Party, they shall for all purposes be deemed to be workers of the Assisting Municipality, and the Requesting Party shall not to be deemed the employer of the Assisting Municipality's workers under any circumstances or for any purpose whatsoever.

(2) Where Emergency Assistance is provided under section 3, then for the duration of the Emergency, the Requesting Party shall reimburse the Assisting Municipality for the costs of the wages, salaries and expenses of the workers, in all other respects the workers of the Assisting Municipality retain their employment or contractual relationship with the Assisting Municipality.

(2) The Assisting Municipality shall assign its workers to perform tasks as directed by the Emergency Control Group of the Requesting Party.

(3) The Assisting Municipality shall have the right to assign supervisory personnel to operate or supervise the operation of any of the Assisting Municipality's workers and or equipment furnished as assistance to the Requesting Party. Such supervision shall be in accordance with the instructions of the Emergency Control Group.

(4) The Assisting Municipality shall remain responsible for all statutorily required deductions, contributions or payments, such as Employment Insurance, Canada Pension Plan contributions.

10. Indemnity

(1) The Requesting Party shall indemnify and save harmless the Assisting Municipality, and all of its elected officials, officers and employees who render assistance under this Agreement, from and against all claims, costs, all manner of action or actions, cause and causes of action, accounts, covenants, contracts, demands or other proceedings of every kind or nature whatsoever at law or in equity arising under this Agreement or by reason of assistance provided under this Agreement, save to the extent that the same are attributable to the gross negligence or willful misconduct of the person otherwise entitled to indemnification.

(2) For greater certainty, the obligation to indemnify under subsection (1) shall extend to,

(a) all costs, including but not limited to duties, dues, accounts, demands, penalties, fines and fees;

(b) without limiting clause (a), full indemnification for all legal costs and disbursements (including expert witness fees) reasonably incurred by the person entitled to indemnification in connection with any claim brought or threatened against that person;

(c) any amount paid by the person entitled to indemnification in reasonable settlement of any claim, provided that at least 30 days prior notice shall be given to the Requesting Party of any intent to enter into such a settlement.

11. Insurance

(1) During the term of this Agreement, each party shall obtain and maintain in full force and effect, general liability insurance in the amount of $5,000,000 issued by an insurance company authorized by law to carry on business in the Province of Ontario, providing for, without limitation, coverage for personal injury, public liability and property damage.

(2) During the term of this Agreement, each party shall obtain and maintain in full force and effect, automobile liability insurance in the amount of $2,000,000.00 for injury, loss or damage resulting from anyone occurrence.

(3) In the case of any conflict between the provisions of this Agreement and any other provisions speaking to contractual indemnity or insurance clauses, the provisions of this Agreement will govern.

12. Collective Agreements

(1) Each Party agrees to review the provisions of this Agreement with its appropriate local bargaining units for the purpose of seeking amendments to local agreements, if necessary, to reflect the terms of this Agreement.

(2) Each party further agrees to advise the other party as soon as practically possible if it becomes aware of any impediments or obstacles imposed by local agreements to meeting its obligations under this Agreement.

13. Information Sharing and Liaison

(1) Each Party shall have the right, to be exercised in its sole discretion, to assign an employee or agent (the "Liaison Officer") of that Party to the Emergency Control Group of the other Party, to provide a liaison between the Assisting Municipality and the Emergency Control Group of the other Party, and to enhance communication between the Parties.

(3) Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, the Liaison Officer shall be permitted to inform the Party appointing him or her on the status of the Emergency and the actions taken by the Requesting Party.

(4) The Liaison Officer shall have the right to obtain information about any Emergency and the use of the assistance provided in order to report to the

Assisting Municipality during and after the duration of the assistance provided and the Emergency.

(5) Each Party shall keep confidential and not disclose any information received or provided under this section without the prior consent of the other Party.

(6) Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, the Parties shall share with each other, information lists or databases detailing the amount, type, capability, and characteristics of personnel, services, equipment or material in the possession of each party, which may be available to the requesting party under this Agreement.

14. Food and Lodging

(1) For the duration of any Emergency Assistance provided under this Agreement, the Requesting Party shall be responsible for providing all food, lodging and accommodation required by the personnel furnished under this Agreement.

(2) Where food and lodging cannot be provided in-kind, the Requesting Party shall pay a reasonable *per diem* to personnel for any food and lodging purchased by personnel of the Assisting Municipality.

(3) The per diem shall be no less than the Requesting Party pays to its own employees as a matter of policy or agreement.

15. Notice

(1) If not otherwise provided in this Agreement, written notice given under this Agreement must be addressed,

in the case of notice to the City of Hamilton, to:

The Director of Emergency Services
The City of Hamilton
71 Main Street West
Hamilton, Ontario, L8P 4Y5

- and -

in the case of the Corporation to:

The Chief Administrative Officer

(2) If hand delivered, the notice is effective on the date of delivery; if faxed, the notice is effective on the date and time the fax is sent; if sent by electronic mail, the notice is effective on the date sent; and if mailed, the

notice is deemed to be effective on the fifth business day following the day of mailing.

16. Governing law

The parties agree to be governed by the laws of the Province of Ontario and the laws of Canada applicable therein.

17. Arbitration

(1) Where a dispute arises under or under this Agreement, and that dispute cannot be resolved by the mutual agreement of the Parties' chief administrative officers, they shall refer the dispute to the respective chief elected official of the Parties respectively for resolution.

(2) In the event that the Chairs cannot resolve the dispute, either Party may, on providing ninety days' written notice to the other, refer the dispute to a third party arbitrator of their mutual choice for resolution, that arbitration to be conducted under and in accordance with the *Arbitration Act*.

18. Term and Termination

(1) This Agreement shall be indefinite, and it shall come into effect from the date on which the second Party signs the Agreement.

(2) Despite any other section of this Agreement, either party may terminate this Agreement upon at least sixty days' written notice to the other party.

IN WITNESS WHEREOF the parties have executed this Agreement.

) **Corporation of the City of**
)
)
)________________________________
) Chair
)

)________________________________
) Clerk

)
)
) **THE CITY OF HAMILTON**
)
)
) ______________________________
) Mayor
)
)
) ______________________________
) Clerk
)

HAMILTON EMERGENCY SERVICES

SCHEDULE "A"

IN THE DOCUMENT BELOW, ALL SITUATIONS BELOW WHICH REFERENCE A EMERGENCY ASSISTANCE RESPONSE (Mutual Aid), THE REQUESTING DEPARTMENT DOES NOT HAVE TO EXHAUST ALL OF THEIR RESOURCES PRIOR TO INITIATING THE REQUEST

rea	Department	Type of Call	Emergency Assistance / Routine Assistance	Resources Available	Description Of Area	Special Instructions
KILBRIDE	Hamilton	Structure	Routine Assistance	Tanker 28	Millborough Townline easterly to Guelph Line, To but not on Britannia northerly to but not on Derry Road	If Tanker 28 is not available, Tanker 24 shall be dispatched
KILBRIDE	Hamilton	Structure	Routine Assistance	Tanker 24	Millborough Townline easterly to Guelph Line All north of Dundas St (Highway #5) to and on Britannia	If Tanker 24 is not available, Tanker 25 shall be dispatched
ALDERSHOT	Hamilton	Structure	Emergency Assistance	Tanker 24	All north of Highway 403 to the top of the escarpment, West of King Road to on Highway #6	If Tanker 24 is not available, Tanker 25 shall be dispatched
HIGHWAY #6	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS	West side of Highway belongs to Hamilton East side of Highway belongs to Burlington Therefore both departments will automatically respond.	Either Communications will contact other upon receipt. Burlington has agreed not to charge for services to any Hamilton resident for this area.
HIGHWAY 403	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS	403 eastbound to the Niagara bound cut-off 403 west bound to the Mains St East cut-off	Same criteria dispatch as Skyway Bridge but has to be added to New Policy and Procedure up-date. Communications to initiate patch in this area.
LOST FOREST PARK	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS		Although Hamilton may receive the call, this is Burlington's jurisdiction. Hamilton Communication must contact Burlington upon receipt.
SKYWAY BRIDGE	Hamilton & Burlington	All types of calls	Routine Assistance	Routine Assistance		No change in current agreement Skyway Bridge but has to be added to New Policy and Procedure up-date.

ADDITIONAL INFORMATION

1.	Burlington	Burlington is required to provide Street Maps for Hamilton Stations 24, 25, 28 and Platoon 1
2.	Burlington	Burlington is required to provide Portable radios with on-board chargers to Tankers 24, 25, 28 and Platoon 1
3.	Hamilton	Hamilton is required to provide Street Maps for Burlington Stations 2, 3, and 5
4.	Hamilton	Hamilton is required to provide Portable radios with on-board chargers to Burlington Stations 2, 3, and 5
5.	Hamilton	Hamilton is required to provide a 'stortz' gate valve unit for Burlington Station 5 (Kilbride)
6.	Hamilton/ Burlington	Both Training Divisions from both Departments are too initiate cross training in Burlington Station 5 and Hamilton Station 24 and 28 as soon as possible

BURLINGTON FIRE DEPARTMENT

SCHEDULE "B"

IN THE DOCUMENT BELOW, ALL SITUATIONS BELOW WHICH REFFERENCE A EMERGENCY ASSISTANCE RESPONSE (Mutual Aid), THE REQUESTING DEPARTMENT DOES NOT HAVE TO EXHAUST ALL OF THEIR RESOURCES PRIOR TO INITIATING THE REQUEST

rea	**Department**	**Type of Call**	**Emergency Assistance / Routine Assistance**	**Resources Available**	**Description Of Area**	**Special Instructions**
CARLISLE	Burlington	Medical	Routine Assistance	Kilbride Pump Kilbride Tanker	Millborough Townline westerly to and on Highway #6, Both sides of 7th Concession East northerly to 10th Concession East	Hamilton Communications will contact upon receipt of call at the same time Hamilton Unit is dispatched
CARLISLE	Burlington	Structure	Routine Assistance**	Kilbride Tanker	Millborough Townline westerly to and on Highway #6, Both sides of 7th Concession East northerly to 10th Concession East	**Hamilton Unit will contact Hamilton Communications who will then contact Burlington Communications only if required**
HIGHWAY #6	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS	West side of Highway belongs to Hamilton East side of Highway belongs to Burlington Therefore both departments will automatically respond.	Either Communications will contact other upon receipt. Burlington has agreed not to charge for services to any Hamilton resident for this area.
HIGHWAY 403	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS	4O3 eastbound to the Niagara bound cut-off 403 west bound to the Mains St East cut-off	Same criteria dispatch as Skyway Bridge but has to be added to New Policy and Procedure up-date. Communications to initiate patch in this area.
LOST FOREST PARK	Hamilton / Burlington	All types of calls	Routine Assistance	SEE SPECIAL INSTRUCTIONS		Although Hamilton may receive the call, this is Burlington's jurisdiction. Hamilton Communication must contact Burlington upon receipt.
SKYWAY BRIDGE	Hamilton & Burlington	All types of calls	Routine Assistance	Routine Assistance		No change in current agreement Skyway Bridge but has to be added to New Policy and Procedure up-date.

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6.	Hamilton/ Burlington	Both Training Divisions from both Departments are too initiate cross training in Burlington Station 5 and Hamilton Station 24 and 28 as soon as possible

SECTION 8

SECTION 9

SECTION 10

SECTION 11

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

11.1

HUMAN RESOURCES
Corporate Health and Safety Section

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Catherine Graham, General Manager
Date:	September 25, 2002	**Prepared by:**	Les Fenyvesi 546-4176 Supervisor OHS & WSIB

SUBJECT: Corporate Occupational Health and Safety Policy (HUR02013) (City Wide)

RECOMMENDATION:

a) That City Council approve and support staff in implementing the Occupational Health and Safety Policy attached as Appendix A. Approval and implementation of the Occupational Health and Safety Policy will assist the City of Hamilton to comply with the Occupational Health and Safety Act and to achieve its vision of being “a safe, healthy and sustainable community” and a "City of Choice for high performing public servants".

b) That this policy replaces any previously documented Occupational Health and Safety policy statements held by the predecessor municipalities.

C Graham
Catherine Graham, General Manager
Human Resources

EXECUTIVE SUMMARY:

The Occupational Health and Safety Act Section 25 (2)(j) requires that an employer “prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy”. Section 25 (2)(l) requires that an employer “post at a conspicuous location in the workplace a copy of the occupational health and safety policy”.

Occupational Health and Safety Programs have been in place for some time, in various forms throughout the former City of Hamilton, Region and the former municipalities. The purpose of this recommendation is to approve and implement an updated "policy statement" which is current and applicable for re-distribution throughout all City of Hamilton work locations.

Implementation of a Health and Safety Policy statement and supporting Health and Safety Procedures will further assist the City in achieving its stated goals of being "a City of Choice", "a great City in which to live" and "a healthy, safe and green City".

Under the "City of Choice" theme this recommendation will

a) Support improved staff morale, and

b) Assist in providing a healthy and safe work environment for all employees.

Under the "Safe City" theme, implementation of this recommendation will

a) Comply with the requirements of the Occupational Health and Safety Act
b) Reduce liability from prosecution for the City.
c) Provide a measurable management structure and approach to Health and Safety, which will allow the City to plan, organize and conduct work at a high performance level.

BACKGROUND:

The application of a Health and safety policy statement and appropriate health and safety practices and procedures impacts not only on the safety and wellness of employees but also the protection of the environment and personal safety and security of the public at large.

The policy statements held by the predecessor municipalities are as follows:

Town of Dundas-	Health & Safety policy approved by the town administrator May 1, 1995.	
City of Stoney Creek-	HR-06-01	Health & Safety Policy
	HR-06-4	Workplace Safety & Insurance forms
	HR-06-5	W.H.M.I.S. Training
	HR-0606	Material Safety Data sheets
Town of Glanbrook-	W.H.M.I.S. Procedure	
Township of Flamborough	Policy# CAO-20.11 passed August 11, 1988	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial –

a) If charged by the Ministry of Labour for non-compliance with OHSA and Regulations, the City may, upon conviction, face substantial financial penalties, up to $500,000.00, per charge, and Senior Directors/Officers may face imprisonment for a period of up to one year.

b) Financial implications of developing and distributing supportive written "procedures", "guides" and "Health and Safety Publications, Handbooks", will be covered from existing budgets within the Integrated Management System (IMS) process.

c) The Policy Statement and Procedures will also be available electronically on the e-Net and S: drive for easy access and distribution.

Staffing – no additional staff will be required for this project as it is a part of the IMS/EMS process.

Our employees can take advantage of the regular OHS training programs, available OHS procedures/policies and regular awareness and promotional sessions. Such programs and services can be provided with minimum extra workload and responsibilities. Corporate Workplace Safety Section staff can deliver training on the policy and procedures documentation in information sessions, with Department staff. Such a communication structure is currently in place.

Legal – Corporate implications of this program are of a legal nature only. Failure to comply with the appropriate sections of the Occupational Health and Safety Act and regulations thereunder, may lead to legal action against the City by the Ministry of Labour.

POLICIES AFFECTING PROPOSAL:

IMS/EMS PROJECT:

The policy statement and accompanying procedures form an integral part of and are a requirement for the IMS (Integrated Management System). Successful application and accreditation under the BSI 18001 standard of the E=MC4 requires the implementation of this policy.

SUSTAINABLE DEVELOPMENT:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth and endorsed by the Transition Board as the basis of a vision for the "New" City of Hamilton, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all municipal decision-making.)

Safety and Security Goals:

"The streets and public areas are safe at all times..."

To develop the social and physical environments that allow all citizens to participate fully and safely in our community, schools and workplaces.

To have effective plans that identify, reduce and manage risks.

Raise local awareness about occupational health and safety standards and legislation and educate workers and business owners about avoiding hazardous situations and meeting standards.

Improve safety on roadways through enforcement of safety rules..."

Personal Health Goal "To promote health and prevent disease and injury".

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

There is ongoing consultation, as required under the Occupational Health and Safety Act with all Joint Health and Safety Committees regarding the development of Policies and Procedures. Joint Health and Safety Committee consultation commenced in November 2000, in preparation for the amalgamation and is a continuous process.

The Policy statement and Corporate Procedures have been reviewed by Earth Tech representatives as part of the IMS process, and have been found to meet the requirements of BSI 18001.

CITY STRATEGIC COMMITMENT:

The City commits to efficiency in City government. Pursuit of best practices lowers the cost of government and ensures best value in service delivery. A sound Occupational Health and Safety Program, having as its cornerstone an Occupational Health and Safety Policy and set of appropriate procedures will assist in reducing the negative impacts of accidental injury and related costs.

The Human Resources Department, Corporate Workplace Safety Section, is available to provide the direction and guidance for the implementation of this recommendation.

CORPORATE OCCUPATIONAL HEALTH AND SAFETY POLICY

The City of Hamilton is vitally interested in the Health and Safety of all of its workers. Protection of all workers from injury or occupational disease is a major continuing objective. The City of Hamilton makes every effort to provide a safe, healthy work environment. All managers, supervisors and workers are dedicated to the continuing objective of reducing injury and risk to health.

The City of Hamilton, as employer, is ultimately responsible for worker health and safety. The City of Hamilton, headed by City Council, commits that every reasonable precaution is taken for the protection of workers.

Managers and supervisors are held accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that any machinery and/or equipment provided is in proper and safe condition and that workers work in compliance with established legislation, safe work practices and procedures. Workers must receive adequate training in their specific work tasks to protect their health and safety, before commencement of the job.

Every worker must protect his or her own health and safety by working in compliance with legislative and other requirements, including safe work practices and procedures as established by the City of Hamilton.

It is in the best interest of all parties to consider health and safety in every activity, including the utilization of volunteer and/or contracted services. Commitment to the continual improvement of health and safety is an integral part of this organization.

This Occupational Health and Safety Policy is implemented through a Corporate Health and Safety Program, developed and amended from time to time, through consultation with the Joint Health and Safety Committee/s.

The Joint Health and Safety Committee/s shall review the Policy and Program annually and make recommendations, as required, to ensure that all current legislative requirements and industry practices are maintained and that the Policy and Program remain relevant and appropriate.

____
MAYOR

____
CITY MANAGER

____
EFFECTIVE DATE

A copy of this Policy is available to all interested parties, upon request. Please contact the Human Resources Department, Health and Safety Section at (905)-546-4176 or access the City's e-Net/You Should Know/Occupational Health and Safety/OHS Policy.

SECTION 12

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

12.1

PLANNING AND DEVELOPMENT DEPARTMENT
Housing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Lee Ann Coveyduck General Manager
Date:	September 27, 2002	**Prepared by:**	Keith Extance x3745 Mark Mascarenhas x4604

SUBJECT: Residential Rehabilitation Assistance Program (RRAP) – 2002/2003 Funding Allocation (PD02204) (City Wide)

RECOMMENDATIONS:

(a) That the 2002/2003 Budget Allocation for the Residential Rehabilitation Assistance Program (RRAP) from Canada Mortgage and Housing Corporation (CMHC), as noted below and in the Supplemental Agreement attached as Appendix "A" to Report PD02204, be received:

Homeowner RRAP -	$450,000
Disabled RRAP -	$400,000
Rental/Rooming House RRAP -	$400,000
Conversion RRAP -	$400,000;

(b) That CMHC be requested to provide an additional $200,000 under the Rental/Rooming House RRAP to effectively respond to increased rehabilitation needs within the community;

(c) That the City of Hamilton continue its role of RRAP delivery agent for the 2002/2003 Delivery Year and the Mayor and City Clerk be hereby authorized and directed to execute the Supplemental Agreement in a form satisfactory to Corporate Counsel; and,

(d) That the Mayor, on behalf of Council of the City of Hamilton, send a letter to the Federal Minister responsible for Canada Mortgage and Housing Corporation with a copy to all area Federal and Provincial Members of Parliament, outlining the benefits of RRAP to older cities such as Hamilton and request that RRAP be extended as a cornerstone of the Federal Government's commitment to Canadian municipalities.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The City of Hamilton is a delivery agent for Canada Mortgage and Housing Corporation for the Residential Rehabilitation Assistance Program (RRAP). RRAP offers financial assistance to low-income homeowners and owners of rooming houses and rental properties housing low-income tenants to improve substandard dwellings and make necessary repairs to make homes safe and healthier.

The City of Hamilton has successfully delivered the program for the past 28 years for the former City of Hamilton and Town of Dundas. Last year, RRAP assistance was expanded to the former area municipalities of Stoney Creek, Glanbrook, Ancaster and Flamborough. The City has provided rehabilitation assistance to over 4,300 homeowners during this period and more recently to rooming houses, lodging homes and private rental buildings.

CMHC recently announced the RRAP budget allocation for the 2002/2003 Delivery Year. In total, $1.65 million has been initially allocated to the City of Hamilton. CMHC staff have also committed to add an additional $200,000 to the Rental/Rooming House component of RRAP.

In the 2001/2002 Delivery Year, the City delivered approximately $1.3 million in RRAP funding. The increased budget allocation for the 2002/2003 Delivery Year reflects the City's strong commitment in partnering with CMHC in improving the housing conditions of lower income Hamilton residents.

CMHC is currently reviewing the efficiency and effectiveness of RRAP with a view toward the Federal Government making a decision on whether RRAP should be extended in future years. Strong advocacy and support from municipalities is essential in preserving this program.

BACKGROUND:

The Residential Rehabilitation Assistance Program (RRAP) offers financial assistance to low-income homeowners and owners of rooming houses and rental properties housing low-income tenants to improve substandard dwellings and make necessary repairs to make homes safe and healthier. Canada Mortgage and Housing Corporation (CMHC) provide the funding and the City of Hamilton is a delivery agent of RRAP.

In the 2001/2002 Delivery Year, approximately $1.3 million of RRAP monies were delivered to low-income Hamilton homeowners and owners of rental properties housing low-income tenants. For the 2002/2003 Delivery Year, CMHC has allocated $1.65 million, including a commitment for an additional $200,000 under the Rental/Rooming House component of RRAP.

RRAP has been successfully utilized for the past 28 years in improving the housing conditions of low-income Hamilton homeowners and tenants. RRAP is an excellent program tool to build community partnerships to rehabilitate existing housing and increase the supply of modest cost housing through new construction and conversion.

As the housing stock in Hamilton continues to age, there is a clear need for conservation and rehabilitation initiatives. According to the 1996 Census of Canada, there were approximately 14,620 dwelling units in the City of Hamilton in need of “major repair” which accounts for 8.2% of the total dwelling stock. In addition, there were a further 48,505 dwelling units in need of “minor repair”.

ANALYSIS OF ALTERNATIVES:

The alternative of not continuing with an agency relationship with CMHC could result in significantly reduced Federal Government funding in Hamilton. CMHC would have to make alternative arrangements with existing service agents outside the City or train and develop new local agents. It is very unlikely these alternative arrangements would have the capacity to deliver the 2002/2003 Budget Allocation of $1.65 million.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial - Under the Agency Agreement between the City and CMHC, the City will receive a delivery fee of $931 per unit for homeowner applications, and for multi-unit applications $931 for the first unit and an additional $112 per unit thereafter. These funds are used to cover a portion of the program administration costs incurred by the Housing Division. This fee represents a 116% increase from last years fee.

Staffing – Current staffing levels in the Building and Licensing Division and Housing Division is sufficient to address the increased Budget Allocation from CMHC.

Legal – None.

POLICIES AFFECTING PROPOSAL:

None.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Housing Division staff has consulted with CMHC staff on the extent of the 2002/2003 Budget Allocation and delivery fees.

CITY STRATEGIC COMMITMENT:

The delivery of RRAP supports the following goals of the City's Strategic Plan:

1. *A City of Growth and Opportunity*
   c) Developing Partnerships for Hamilton with Other Levels of Government
   "Council will urge its government partners to take the steps necessary to support the City in its efforts."

2. *A Great City in Which to Live*
   b) Supporting People in Need, with Care
   "Council will seek work with other levels of Government and the community to ensure that people in need are supported and cared for."

3. *A Healthy, safe and Green City*
   i) Municipal Housing Program
   "Develop and implement a municipal affordable housing program."

:KE
Attach. (1)

CMHC SCHL

SUPPLEMENTAL AGREEMENT

This agreement is a supplement to the standard Agency Agreement negotiated by this office for the Residential Rehabilitation Assistance Program.

This agreement is written understanding between CMHC Hamilton Office and the City of Hamilton existing agreement, and the delivery requirements of the agent's.

TERMS OF AGREEMENT

A. RESIDENTIAL REHABILITATION ASSISTANCE PROGRAM

1. This agreement is effective for the fiscal year of 2002/2003 delivery, and will terminate on **March 31, 2003.**

2. The agent acknowledges and concurs that all RRAP approval packages to fully commit their budget allocations for the 2002/2003 delivery year are to be received in our office by **November 15, 2002**.

In the event the above date is not met, CMHC will consult with the current Delivery Agent prior to redistribution of those funds to Delivery Agents who have confirmed their need for additional Budget.

3. Delivery Strategies

   i) Delivery Agent must conform to the delivery strategy previously submitted as part of their proposal package to CMHC.

   ii) Delivery Agent must ensure that their responsible territory is serviced in a fair and equitable manner.

   iii) Any advertising must have prior CMHC approval.

4. The Delivery Agent acknowledges, and is in agreement, that all work items on the work description be completed, inspected, and a requisition for funds be received in our office no later than **March 15, 2003.**

5. The Delivery Agent is in agreement with the amended Guidelines and Procedures as follows:

RRAP

a) The RRAP work must commence within two (2) months of the loan approval date.

b) The RRAP work must be completed within six (6) months of the loan approval date, or March 31, 2003, whichever comes first.

c) Applications dealing with emergency health and safety problems are considered highest priority, and will be processed immediately.

d) For the purpose of this agreement, the Delivery Agent will also obtain an invoice with appropriate documentation from contractors, and forward it to the CMHC Office when requesting payment of RRAP funds. **An acceptable invoice will include the contractor's, and all subcontractor's names and addresses, identification numbers (such as a Business number, GST Registration number, corporation number or Social Insurance Number), and the total amount of the contract payment. If an acceptable invoice is not collected and submitted, 15% of each advance on the RRAP loan will be withheld.**

6. The Delivery Agent and CMHC agree that upon successful completion of the service by the agent, fees will be paid in accordance with the levels established under the most current program policies.

7. Any changes to the present Municipal structure should be reported to CMHC immediately.

8. The Delivery Agent must be available during core business hours.

9. CMHC has the right to cancel the Agency Agreement immediately, in the event that a proven conflict of interest exists.

10. Budget allocations and commitment information are outlined in the attached Schedule "A".

11. Operational Audits and Monitoring Reviews will be completed by CMHC on a yearly basis and the results will be reported to the Delivery Agent and the CMHC Assisted Housing Centre prior to the next delivery year.

B RESIDENTIAL REHABILITATION ASSISTANCE PROGRAM (RRAP)

Native Targets

The Residential Rehabilitation Assistance Program has a Native content percentage as set out in the annual provincial planning process. For the purpose of this agreement, it is planned that **11%** of the budget will be delivered to Native clients. This targeted percentage is a planned figure only and should be recognized by the Delivery Agent as important in meeting the overall planning objectives of the program. Therefore, the Delivery Agent will give native applicants priority only until the target is met, and will proceed with other applications in your office on a first come, first served basis. Applications dealing with emergency health and safety problems are considered highest priority, and will be processed immediately.

C EMERGENCY REPAIR PROGRAM

(for Delivery Agents who agree to deliver this program)

a) The agent acknowledges and concurs with, that all ERP approval packages to be submitted to CMHC for commitment by **December 31, 2002**.

b) Repairs under the ERP program must be started within 60 days and completed within 90 days from the date of approval or by March 31, 2003, **whichever comes first.**
****Failure to meet the above conditions may result in cancellation of the ERP loan.*****

Failure to meet any of the above criteria could result in reduction of allocations, re-testing, service of additional probation time or dismissal of the agent. This decision would be made at the discretion of CMHC upon review of the individual situation.

Per:______________________________ **Date:**________________

Per:______________________________ **Date:**________________

Per:______________________________ **Date:**________________

Assisted Housing Centre

SCHEDULE "A"

CMHC requires confirmation in writing by September 30, 2002, for the two following items:

a) Whether there is a need for additional funding in **RRAP/RRAP-D/ERP,**

OR

b) Whether the budget allocation will be surplus to your needs.

Please note that requirements for additional funding must be supported by:

° completed final applications on hand by program line,

° requests for additional funding can only be accommodated if there are surplus funds from other territories.

CAPITAL BUDGET ALLOCATIONS

2002 - 2003 DELIVERY YEAR CAPITAL/FORGIVENESS DOLLAR Budget Allocation for:

CITY OF HAMILTON

Homeowner RRAP		Disabled RRAP	
- Capital	$450,000.00	- Capital	$400,000.00
- Forgiveness	$450,000.00	- Forgiveness	$400,000.00
RRAP Rental/Rooming House		RRAP Conversion	
- Capital	$400,000.00	- Capital	$400,000.00
- Forgiveness	$400,000.00	- Forgiveness	$400,000.00

Should additional Capital dollars be required, please notify our office.

SECTION 13

SECTION 14

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

14.1

TRANSPORTATION, OPERATIONS & ENVIRONMENT DEPARTMENT
Water & Wastewater Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 30, 2002	**Prepared by:**	Dan McKinnon Extension 6162

SUBJECT: **Harmonization of Sewer Lateral Tree Root Policies (TOE02188) - (City Wide)**

RECOMMENDATION:

(a) That the "Sewer Lateral Tree Root Policy" attached hereto as Appendix A be approved as the Corporate Sewer Lateral Tree Root policy for reimbursing property owners who are experiencing sewer blockages related to tree roots from City owned trees;

(b) That Sewer and Drain Bylaw R79-172 (as amended) be further amended to reflect Appendix A of Report TOE02188.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

Currently, the new City of Hamilton does not have a harmonized Sewer Lateral Tree Root Policy for reimbursing property owners who are experiencing blockages in their sewer laterals (sanitary and storm) due to the presence of tree roots from municipally owned trees.

The former municipalities of Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, and Stoney Creek had policies for reimbursing property owners who were experiencing sewer problems caused by municipally owned trees. While there are similarities in each of the policies from the former municipalities, there are sufficient differences that confusion is being created for both property owners and staff. It is desirable to have one consistent, comprehensive policy through which the City will reimburse property owners for routine cleanings of privately owned sewer laterals, thus protecting healthy, municipally owned trees while maintaining sewer service to private properties.

The following are highlights of the recommended "Sewer Lateral Tree Root Policy" as outlined in Appendix A of Report TOE02188:

- The City will assume 100% of the cost of a thorough sewer lateral cleaning (i.e. a 6-inch cutter is used for a 6-inch lateral) upon receipt of an invoice from a licensed sewer contractor. The invoice will be required to detail: (a) a description of the blockage; (b) where the blockage occurred in the sewer lateral and why; (c) the inside diameter of the sewer lateral; and (d) the size of the cutter used to complete the cleaning.
- The City will review all sewer lateral cleaning invoices to ensure compliance with the "Sewer Lateral Tree Root Policy" as proposed.
- The City will not reimburse property owners for: sewer lateral videos, rental invoices, installations of clean-outs, warranties, or drain cleaners.
- The City will reimburse property owners for only two cleanings in a 12-month period. Further cleanings would indicate that there is a persistent problem and it may be more appropriate to examine alternative repair solutions.
- If a more permanent solution is required, the City will reimburse property owners for 50% of the cost incurred to replace or reline the portion of the sewer lateral affected by tree roots and the City will no longer participate in any further cleaning or construction activity.

Should Council approve the recommendations outlined in Report TOE02188, the harmonized policy will be communicated to the public by: pamphlet handouts, notification in the At-Your-Service page of The Hamilton Spectator, City staff at call centres, and the Water/Wastewater website.

BACKGROUND:

The recommended "Sewer Lateral Tree Root Policy" as outlined in Appendix A of this report is very similar to the policy employed by the former City of Hamilton and that was also adopted by the former Regional Municipality of Hamilton-Wentworth. It is also similar to the policies used by the former municipalities of Ancaster, Dundas, Flamborough, Glanbrook, and Stoney Creek.

The main difference between those policies and this one is that those policies had an upper limit for sewer cleaning reimbursement, whereas Hamilton's policy and this proposed policy do not. Also, in cases where a permanent solution was being explored, the former municipalities were more willing to remove the tree than would be encouraged under this policy. Under this policy, tree removal generally will be an option only if the tree is unhealthy and posing a danger. The most popular form of permanent solution is the installation of a liner inside the existing sewer.

ANALYSIS OF ALTERNATIVES:

Option 1: Approve the "Sewer Lateral Tree Root Policy" attached hereto as Appendix A as the Corporate Sewer Lateral Tree Root policy for reimbursing property owners who are experiencing sewer blockages related to tree roots from City owned trees. Staff are recommending acceptance of Option 1 as it provides the most comprehensive approach to the situation at this time.

Option 2: Introduce a modified "Sewer Lateral Tree Root Policy" with monetary limitations on the amount of reimbursement to property owners. While this option would result in annual savings to the City, it is not recommended until after staff complete the current study reviewing issues related to the maintenance and repair of private drains. At this time, from an administrative perspective, it is most important to harmonize the various policies.

Option 3: Do not reimburse property owners, which will result in a cost saving of approximately $206,704.80 per year. Staff are not recommending Option 3 as it may result in an increase in the requests for the removal of healthy City owned trees.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications: In 2001, the new City of Hamilton, including all of the former municipalities, spent $206,704.80 on tree root related reimbursements. Prior to 2001, the former municipalities of Ancaster, Dundas, Flamborough, Glanbrook, and Stoney Creek (excluding the former City of Hamilton and Regional Municipality of Hamilton-Wentworth properties) spent a combined total of approximately $15,000 per year on tree root related reimbursements. Harmonizing all of the former policies is not expected to increase expenditures over 2001 levels.

Staffing Implications: Currently, the City of Hamilton's Community Services Department (Parks Division) administers the Sewer Lateral Tree Root program for the Water and Wastewater Division of the Transportation, Operations, and Environment Department. To align the management of all sewer and water maintenance services under one department, administration of the new harmonized policy will be assumed by the Wastewater Collection Section of the Water and Wastewater Division. There are no anticipated staffing implications as a result of the change in administration, however, the benefits are as follows:

- Provides the public with “one stop” administration of sewer maintenance issues. This should lead to more efficient and timely responses to inquiries or problems.
- Takes advantage of the experience and expertise of Wastewater Collection's staff with respect to sewer maintenance and repair.
- Improves efficiencies by including tree root issues in a more comprehensive management program.

Legal Implications: The former Regional Municipality of Hamilton-Wentworth's Sewer and Drain Bylaw (R79-172, as amended) currently contains provisions regarding tree roots from municipally owned trees infiltrating sewer laterals. Therefore, if the recommendations contained in Report TOE02188 receive Council approval, the Bylaw will need to be amended to reflect the harmonized policy.

POLICIES AFFECTING PROPOSAL:

The existing policy of the former City of Hamilton and the former Regional Municipality of Hamilton-Wentworth would become the policy for the new City of Hamilton.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff have consulted with the following departments: Finance and Corporate Services (Risk Management, Finance and Administration, Legal Services), Community Services (Forestry), and Corporate Secretariat (Communications).

CITY STRATEGIC COMMITMENT:

Fiscal Accountability: Administration of the policy by one department will assist the Wastewater Collection Section in developing a more comprehensive sewer lateral maintenance plan designed at managing the City's ageing infrastructure. The enhanced plan will ensure consistency and derive efficiencies from the economies of scale that will be created.

Innovation: Using the expertise of the Wastewater Collection Section to resolve all functional issues associated with sewer laterals will satisfy the long-term needs of the property owner and mitigate risk management issues.

Sustainability: The policy will encourage the preservation of City owned trees, which will aid in improving the quality of the environment and will ensure, where possible, municipal trees are protected.

APPENDIX A - REPORT TOE02188

THE CITY OF HAMILTON

TRANSPORTATION, OPERATIONS, AND ENVIRONMENT DEPARTMENT
WATER AND WASTEWATER DIVISION
WASTEWATER COLLECTION SECTION

POLICIES AND PROCEDURES

POLICY NO:
SUBJECT: **SEWER LATERAL TREE ROOT POLICY**
ELIGIBILITY:

PROCEDURE:

SEWER CLEANING:	When the City of Hamilton ("City") receives complaints from a property owner regarding tree roots from a City-owned tree impairing the operation of the property owner's sewer lateral, it will be the property owner's responsibility to contact a sewer contractor to clean out the property owner's sewer lateral. The sewer contractor will advise the property owner and the City by way of a signed invoice that indicates the exact cause of the blockage.
BLOCKAGE BY TREE ROOTS	If it is determined to the satisfaction of the City's Manager of Wastewater Collection (or designate) that the roots of a City tree caused the sewer blockage, the City will reimburse the property owner for 100% of the cost of the cleaning.
BLOCKAGE OTHER THAN TREE ROOTS	If it is determined by the Manager of Wastewater Collection (or designate) that the blockage was not caused by the roots of a City tree, the City will not assume responsibility for the cleaning, repair, or associated costs.
THOROUGH CLEANING	To qualify for reimbursement, the property owner must confirm that the sewer lateral was cleaned with a cutter of the same size as the diameter of the sewer lateral.
ITEMS NOT REIMBURSED BY THE CITY OF HAMILTON	The City will not reimburse the cost of sewer videos, rental invoices, installations of clean-outs, warranties, or drain cleaner.

50/50 COST SHARE SEWER LATERAL

The City will not reimburse a property owner for more than two sewer cleanings at a property in a 12-month period. If a sewer cleaning is required more than twice in a 12-month period, as a result of tree roots from a City tree, City staff will discuss with the property owner the potential corrective options. The City will reimburse the property owner for 50% of the lesser of:

(i) the cost of the corrective option chosen by the Manager of Wastewater Collection (or designate) and incurred by the property owner, or

(ii) the cost of the corrective option not chosen by the Manager of Wastewater Collection (or designate) but incurred by the property.

Any replacement sewer lateral must meet the City's specifications and a "Permit for Sewer Drains" must be obtained prior to construction.

PROPERTY DAMAGE

Claims for property damage, other than sewer lateral damage, alleged to have occurred as a result of roots from a City tree, will not be addressed as part of this policy.

DIRECTOR APPROVAL: ______________________________

APPROVED DATE: ______________________________

REVISED DATE: ______________________________

AFFECTS
WARD 11

14.2

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS & ENVIRONMENT

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	September 30, 2002	**Prepared by:**	William Farkas Community Services Extension 905-628-4300

SUBJECT: **Property Purchase Agreement Pursuant to the Provisions of Section 30 of the Expropriation Act - 280 Fifty Road, Filomena Raso (TOE02185) - (Ward 11 with City Wide Implications)**

RECOMMENDATION:

(a) That the Property Purchase Agreement, of the lands of Filomena Raso, duly executed by Filomena Raso on September 17, 2002 and scheduled to close on or before January 6, 2003, for the lands composed of Part of Lot 2, Concession 2 in the former Geographic of Township of Saltfleet, now in the City of Hamilton, being more particularly described as Part 1 on Plan 62R-15996, being all of PIN 17371-0016, be approved and completed and that partial compensation of $36,500 be charged to Account No. 55916-4038055056, subject to the following:

(i) Pursuant to the provisions of Section 30 of the *Expropriation Act*, the Owner hereby consents to the acquisition of the herein described lands by the City. The City hereby consents to an application by the Owner to the Ontario Municipal Board for the determination by the Board of the compensation, which the Owner would be entitled by the *Expropriation Act* if the land were expropriated. The City hereby agrees to pay to the Owner any compensation determined by the Board or in the event of an appeal, as determined by the Court of Appeal, in excess of the amount of compensation paid pursuant to the Agreement herein. If the amount of compensation stated in this agreement exceeds the compensation awarded by the Ontario Municipal Board or Court of Appeal, the property owner agrees to refund the difference to the City within 30 days of the decision of the Ontario Municipal Board or Court of Appeal, in excess of the amount of compensation paid pursuant to the Agreement herein;

(ii) The City further agrees to pay interest on any such compensation pursuant to Section 33 of the *Expropriation Act*.

(iii) If the amount of compensation stated in this agreement exceeds the compensation awarded by the Ontario Municipal Board or Court of

Appeal, the property owner agrees to refund the difference to the City within 30 days of the decision of the Ontario Municipal Board or Court of Appeal.

(iv) The date of valuation of the Section 30 agreement is the date of its signing by the owner.

(v) It is agreed that the execution of this Section 30 agreement does not dispense with the hearing before the Board of Negotiation. The parties agree not to proceed to arbitration before the Ontario Municipal Board unless the City and the Owner have agreed to dispense with negotiations before the Board of Negotiation or negotiations before same do not result in a settlement of compensation. The above does not limit the parties from obtaining a final settlement of compensation prior to an application by the Owner to the Ontario Municipal Board.

(vi) It is understood and agreed that the City will pay reasonable legal costs actually incurred by the owner for the transfer of the subject property to the City. If agreement on these costs cannot be reached, these costs will be claimed as part of the Section 30 compensation. Reasonable legal or other costs incurred prior to the execution of the Agreement will be paid upon final settlement or adjudication of the Section 30 compensation.

(vii) It is understood and agreed that the purchase price is $36,500 for the above mentioned lands together with and including all buildings situated thereon and all permanent fixtures attached thereto.

(viii) Within ten (10) days of the acceptance the City shall pay the Owner the sum of Thirty six thousand five hundred dollars ($36,500.00).

(ix) The Owner hereby agrees that all partial payments made or agreed upon in connection with the subject property shall be deducted from the above compensation.

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to Corporate Counsel.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

This recommendation deals with a partial settlement of an expropriation of 280 Fifty Road, Stoney Creek, lands required for watershed improvements

BACKGROUND:

This report has City Wide implications and specifically the location of the subject lands in Ward 11.

The subject lands, a 41.14 meters (135 feet) by 103.02 meters (338 feet) parcel, totalling 0.394 hectares (0.973 acres) located at the north-east corner of Fifty Road and Highway No. 8, is required for the reconstruction of the watercourse both upstream and downstream of Highway No. 8 and Fifty Road intersection utilizing natural materials and design techniques. In addition, the culverts under the two roadways are to be replaced.

This recommendation deals with a partial settlement of the expropriation of these lands from the owner Filomena Raso. Upon acceptance of the agreement, the City or any agent of the City shall be entitled to enter onto the property for the purpose of facilitating the construction works required for the watershed improvements.

On September 18, 2001, City Council in adopting Item 32, Report 01-029 of the Committee of the Whole, authorized the commencement of the expropriation proceedings of 280 Fifty Road.

In an effort to conclude this matter, the lawyer for Raso suggested that a Section 30 agreement may be a suitable avenue to take, in that, the property could become in the hands of the City immediately and allow the appraisal and negotiation process to run its course without interfering with the City's plan for the property. By proceeding with a s.30 Expropriation Act agreement, the owner of the land consents to the acquisition by statutory authority, the statutory authority or the owner, with the consent of the other may apply to the Board for the determination of the compensation to which the owner is entitled to by the Expropriation Act, if the lands were expropriated. This section eliminates the necessary notices to be served on the registered owners of the land affected, advertisement of the Notice once a week for three consecutive weeks in a newspaper having general circulation and plan registration.

ANALYSIS OF ALTERNATIVES:

Should this recommendation not be approved, the City of Hamilton will be required to proceed from the onset of the expropriation process, thereby, further delaying the watershed improvements.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial:	Sufficient funds are available in Account No. 55916-4038055056 (Fifty Mile Creek)
Staffing:	There are no staffing implications relating to this recommendation.
Legal:	To complete the partial settlement, legal staff will be required to execute further documentation in the forms of deeds and statement of adjustments.

POLICIES AFFECTING PROPOSAL:

The approval of this report will not alter or contravene established policies of the City of Hamilton.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff from Legal Services and the Real Estate Section of Corporate Buildings and Real Estate were involved in the preparation of the s.30 Agreement and support this agreement as it represents a fair resolution and avoids additional costs to the expropriation process.

CITY STRATEGIC COMMITMENT:

One of the primary goals of Vision 2020 is to improve the quality of water resources that comprise the City's watersheds. Implementation of the capital project, which can proceed upon ownership of the property, shall enhance potential fish habitat while reducing the risk of flooding.

SECTION 15

CITY WIDE IMPLICATIONS

15.1

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Transit Division
and
FINANCE & CORPORATE SERVICES
Budgets & Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager Joseph L. Rinaldo General Manager
Date:	September 30, 2002	**Prepared by:**	Don Hull Extension 905-679-7301 Joseph Spiler Extension 4519

SUBJECT: **Restructuring of Approved 2002 Transit Capital Funding (TOE02184/FCS02111) (City Wide)**

RECOMMENDATION:

That the General Manager, Transportation, Operations & Environment and the General Manager, Finance & Corporate Services, be authorized and directed to restructure approved 2002 Transit capital funding such that $200,000 allocated to Project ID 5300383803 (Transit Radio Communications) and $100,000 allocated to Project ID 5300283201 (Transit Customer Service Software) be transferred and utilized under Project ID 5300283205 (Transit Paratransit Scheduling Software).

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

City Council approved the purchase of paratransit scheduling software for D.A.R.T.S. during 2001, and subsequently approved capital funding of the first phases of two further Transit technology projects, Radio Communications and Customer Service Software replacement, in 2002. The scope of the paratransit scheduling software

project had included software capability that supported "seamless interface with the Transit's current fixed route scheduling and management software package to provide an integrated trip planning function between paratransit and fixed route conventional transit services."

The vendor which the City is currently negotiating with has offered a solution which not only meets the objectives of this project, but would allow the concurrent advancement of the two above noted Transit technology projects, at a substantial long term cost saving to the City.

Table 1 - Proposed Transit Technology Savings

Existing Budget 2002 - 2005	2002	2003	2004	Totals
5300383803 Radio Communications	$ 200,000	$ 2,800,000		3,000,000
5300283201 Cust.Service Software	$ 100,000	$ 250,000	$ 250,000	600,000
Proposed Budget				
5300283250 Paratransit Software	$ 300,000	$ 2,800,000	$ -	3,100,000
Budgeted Savings	$ -	$ 250,000	$ 250,000	500,000

The strategy proposed by the vendor in the solution would include the replacement of the current Automated Telephone Information System (ATIS), as a component of the integrated trip planning capability needed for the paratransit scheduling software. The ATIS system is a legacy software/hardware system which is no longer supported by the original supplier and has been deemed by the City IT Services division as at risk of irreparable failure at any time.

Further, the proposed solution includes an interface between the current and proposed software with Transit's Automated Vehicle Location and Control (AVLC) system, which is also a legacy system and has been deemed by the City IT Services division as unsupportable beyond the near future, but is key to the ability of Transit to maintain present operational expenditure levels associated with supervision of on-street service delivery. This near term interface solution, tying existing systems together without existing duplication of complex data, will allow Transit to further assess the scope of a required long term AVLC/GPS communications solution, within the framework of the developing IT strategy of the City.

Acceptance of the recommendation will allow staff to pursue the full scope of the solution offered by the vendor within approved 2002 Transit capital expenditure levels, while providing reduced future capital expenditure requirements which had been anticipated with the 10 year capital plan for Transit.

This recommendation is consistent with the Transit technology replacement strategy recommended by the IT division after extensive consultation during the last three months.

BACKGROUND:

In the 2001 and 2002 budget years, City Council approved capital funding of several Transit technology replacement projects dealing with paratransit and fixed route scheduling, communications and customer service tools. The acquisition of the paratransit scheduling software has presented a concurrent opportunity to advance two other key technology projects involving ATIS and AVLC, each of which is integral to the functioning of Transit operations, and whose capabilities may further enhance services provided to users of D.A.R.T.S.. 2002 capital funding approved for each of the ATIS and AVLC projects dealt with the first phase of replacement of the respective technologies: further capital requirements were outlined in the 10 year capital submission by Transit.

ANALYSIS OF ALTERNATIVES:

The concurrent advancement of the Communications and Customer Service projects might be deferred into future Capital budget years, but there may be substantially increased project costs and an increasing risk of current system failure.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This recommendation has no impact on current budget/staffing levels beyond those previously approved in the 2002 Capital and Operating budgets.

POLICIES AFFECTING PROPOSAL:

The procurement of software outlined in the Executive Summary is being carried out within the guidelines and requirements of the City Purchasing Policy and Procedures.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Transit Division has held extensive consultation with the IT Services Division, the Financial Services Division, and D.A.R.T.S. to develop the outlined procurement and deployment strategies for this project.

CITY STRATEGIC COMMITMENT:

This recommendation has a positive social impact on users of City Transit services, particularly those with disabilities, through the provision of enhanced information capabilities which support integrated travel planning.

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